

INTRODUCTION TO
CONTEMPORARY
CIVILIZATION
IN THE WEST



A SOURCE BOOK

INTRODUCTION TO

Contemporary Civilization
in the West

A SOURCE BOOK PREPARED BY THE
CONTEMPORARY CIVILIZATION STAFF OF
COLUMBIA COLLEGE, COLUMBIA UNIVERSITY

Volume I SECOND EDITION

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PREFACE TO THE FIRST EDITION

THE PURPOSE of these volumes of readings is to enable the student to approach the making of contemporary civilization through the ideas and institutions which helped make it. An important aspect of any historical event or movement is the interpretation and justification of it by those who participated in it. Reflection by the student upon society and history supplies both a pattern and a perspective for intelligent control. Such reflection is impossible apart from the traditions of human thinking. A civilized person has a past and must be conscious of his own roots and growth in order to participate intelligently in his society. Each of the readings that follow has been chosen because it is a genuine source of contemporary civilization. These readings embody not historical curiosities but ideas that have persisted.

There has been little attempt to make the selections present the entire thought of an individual, or to present literary masterpieces as works of art or unified wholes. In view of the primary aim to develop the student's critical understanding of his society, the selections for the most part present specific, important arguments. Many great names and documents do not appear. A source book, of any kind, must discriminate in the light of its purpose. In deciding what to use, and what to exclude, the editors have tried constantly to keep to the forefront the limitations of time and the teachability of the material. These readings are not designed to polish off an education, but rather to help the student lay the groundwork for his more advanced courses in the social sciences. It is important to emphasize that, in Columbia College, the *Source Book* is used in conjunction with a guiding *Manual* and appropriate textbook assignments, which help to supply the necessary historical context and continuity.

Although the course in Contemporary Civilization has been required of all freshmen in Columbia College for more than twenty-five years, the present degree of emphasis on the reading of original source materials was first introduced, on a trial basis, in the spring of 1941. Results were so encouraging that the readings soon came to be regarded, by staff and students alike, as one of the most valuable features of the course. To facilitate revision, the selections were at first published in twenty-four separate fascicles, corresponding to the organizational division of the subject matter. Supplementary fascicles, embodying the first fruits of practice, appeared in 1943. These earlier readings were in large part prepared by Charles Frankel. Collaborators on

the original or supplementary fascicles were Jacques Barzun, Paul Beik, J. B. Brehner, Harry J. Carman, George Crothers, Charles W. Cole, Eugene O. Golob, Louis M. Hacker, G. Adolph Koch, Dwight C. Miner, Ernest Nagel, Donald W. O'Connell, John H. Randall, Jr., Herbert W. Schneider, William O. Shanahan, and Robert E. Tschan.

The present edition constitutes a major revision of the content and organization of the readings, based upon five years of classroom experience. Every part of the work has undergone thorough re-editing. Many of the selections previously used have been omitted, while those retained have been carefully re-examined. Abbreviations have been made where it seemed advisable, and better translations used where possible. A large number of new selections have been added after consideration of the needs which have emerged in this type of course, including much valuable material not elsewhere available in English.

Because the advantages of the separate fascicles have largely disappeared with the success and solidification of the source-readings enterprise, the present edition is offered in two bound volumes. In this more substantial and attractive form, it is hoped that students will find the *Source Book* a work of useful reference in their later college studies and that it will become a welcome addition to their permanent libraries. While the *Source Book* has been constructed with the requirements of the Columbia College course primarily in view, the Committee is aware that the material can be abbreviated or in other ways adapted to the needs of various types of courses in other colleges and universities.

The emphasis in these volumes has been deliberately placed on the specifically European institutions and ideas which have helped to shape the character of contemporary civilization. The impress of these institutions and ideas on the United States and its place in international affairs, together with the distinctively American contribution to contemporary civilization, are studied in the second year of the course, and analogous source-readings are designed to accompany this part of the work.

For permission to reprint material from their publications, thanks and acknowledgments are hereby extended to the publishers mentioned in the selections that follow.

The Committee whose work this edition of the *Source Book* represents consisted of the undersigned and, for a shorter period, John R. Everett.

Columbia University
January, 1946

JUSTUS BUCHLER, *Chairman*
PAUL BEIK
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PREFACE TO THE SECOND EDITION

THE PRESENT REVISION of the 1946 edition of the *Source Book* is not a radical one so far as method and principles are concerned. But both volumes have been intensively re-examined, and many modifications have been made in the light of six more years of practical classroom experience. Most of the changes are designed to further existing aims of the first-year course in Contemporary Civilization at Columbia College and, more generally, the several additional functions which the book is known to serve elsewhere. The Contemporary Civilization staff does not pretend to have "solved" the problems of general education (indeed, the very notion would be self-contradicting); but it has been gratified to find how effectively the bulk of the 1946 material was serving the purposes of the Columbia and many other programs.

Though the two volumes of the *Source Book* independently meet a number of needs, they can be used to particular advantage in connection with the new two-volume edition of *Chapters in Western Civilization*. Each of the "Chapters" now corresponds to a subdivision of the *Source Book*, supplying a background for the topic in question. "Chapters" and "Sources" are thus mutually illuminating.

The structure of the *Source Book* (both volumes) has been partially altered; certain chapter headings have been re-formulated; extensive and important new material has been specially translated for this edition; many of the introductions to the readings have been revised; and foreign phrases occurring in the readings have been translated. These changes—along with the specific changes enumerated below for Volume One—have been made in the interests of scholarship, clarity, and classroom effectiveness. In Volume One:

1. New source-readings have been introduced,
 - (a) from authors and documents hitherto unrepresented: Las Siete Partidas, Goliard Poets, Plato, Plotinus, Camoens, Sepúlveda and Las Casas (The New World), Boccaccio, The Thirty-nine Articles, Bossuet, Diderot, Helvétius.
 - (b) from (and sometimes replacing the previous material of) authors or movements already represented: various medieval documents, Fugger (News-Letter), Hus, Galileo, Kant, Cahier.
2. Certain existing source-readings have been amplified, contracted, or re-

edited for one reason or another—e.g., greater fullness, greater conciseness, better continuity, the insertion of significant passages: Machiavelli, Pico della Mirandola, Veronese Inquisition, More, Calvin, Newton, Hobbes, Harrington, Locke, Condorcet, Montesquieu, Rousseau, Young.

3. One author represented by a selection that did not prove useful in the classroom has been omitted: Mandeville.

The Committee is indebted to Benjamin N. Nelson for fertile suggestions and extraordinary scholarly aid. Harold Barger has contributed various editorial services unstintingly. To Eleanor W. Blau, Nora Louise Magid, Lewis Morris, and Samuel L. Sochis the Committee is grateful for assistance in preparing the manuscript, and to Susan H. Bowen, Anita S. Gelber, and Merton L. Reichler for their contribution to the task of reading proof. To the publishers acknowledged in the individual selections thanks are extended for their permission to reprint copyrighted material.

In connection specifically with Volume One of the *Source Book*, Harold D. Hantz and Robert C. Stover were of great assistance in solving certain editorial problems. New translations have been contributed by Arthur C. Danto and Gregory L. Rabassa, as well as by members of the Committee. New introductions have been written and old ones revised by Louis Cohn-Haft, Arthur C. Danto, Irwin Edman, Paul O. Kristeller, Fritz R. Stern, Horace S. Thayer, Robert K. Webb, and members of the Committee.

The Committee wishes to record the invaluable chairmanship of one of its members, George T. Matthews, up to the end of 1952. John Kotselas of Columbia University Press has displayed unfailing patience, cooperation, and efficiency in supervising the process of publication. Dean Lawrence H. Chamberlain of Columbia College, a long-time participant in the Contemporary Civilization Program, has contributed generously toward the solution of many problems facing the Committee. It would be impossible to exaggerate the extent to which the Committee relied upon the experience, judgment, and high editorial discrimination of Justus Buchler, Chairman of the Program. Whatever range, perspective, and insight the *Source Book* has come to exhibit can be in large measure attributed to his inspiration as scholar and teacher.

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Columbia University
May, 1954

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I

THE MEDIEVAL HERITAGE: ECONOMY, SOCIETY, POLITY

THE MANOR

EVERY AGE has dominant modes of economic activity. Modern agriculture in the West, for example, is characterized by the individually held farm, which has tended to shift from an arrangement primarily for subsistence to the capitalistic enterprise. In medieval Europe the most common unit was the manor, although in some areas manors were exceptional or nonexistent, and free, individual tenure might be the rule. The serfs and freemen belonging to a manor cultivated their lands according to certain fixed patterns of distribution and rotation; they also provided the labor services for the demesne, the land of the lord, who derived his support from the manor and supervised, either directly or through officials, the common life of the people under him.

In recent years economic historians have turned increasingly to local studies to correct the old notion of the "typical" manor, and it has come to be realized that these agrarian units displayed wide variations in extent, layout, practice, and internal relationships. Geographical factors or racial origins were important determinants, and much might depend on the nature of the lordship—whether it rested with, say, an ecclesiastical corporation, a great baron, or a poor and relatively unintelligent knight. All or most of these diverse estates, however, exhibited certain common factors and practices which the following documents will help to illustrate.

The *Capitulaire de Villis* was probably composed by Louis the Pious, king of Aquitaine, shortly before 800, and it is a list of instructions for the use of stewards on the royal properties of Carolingian Gaul. It reveals such persistent manorial concerns as the insuring of justice and fair and accustomed treatment for the inhabitants, the proper maintenance of supply for the lord, and the ever-present danger of the defaulting or dishonest steward.

This care for administration was probably not matched in Europe for many years after the collapse of the highly centralized Carolingian empire. It was on the ecclesiastical estates that the highest efficiency was first attained—with a probable corollary of a harder life for the serf—and, because the records for the earlier Middle Ages come almost exclusively from such estates, our views of that period are probably distorted. In England it is not until the thirteenth century that one begins to find, under royal pressure for increased contributions in military service or money, an equivalent concern for estate management among the lay lords, who were slowly and surely making the transition from the noble but essentially brutal fighting man of the Conquest to the country squire of more modern times. One finds in this period an increasing number of surveys and records of administration, drawn up to give the lord a means of calculating his resources and of checking his subordinates. The fourteenth-century survey, or "extent," given below is from the manor of Bernehorne, Sussex, in the south of England. A group of inhabitants especially likely to know the facts gave sworn testimony as to the extent, types, and value of the land; this was set down, followed by a record of the tenants and of the land held by each with the payments and services due the

lord. The wide variation in status and dues indicates the difficulty of generalization in a situation which was becoming continually more complex.

Like every unit of society in the Middle Ages, the manor centered in a court, which dealt not only with economic questions like the possession and use made of a holding or a default on services, but with police matters as well. Like the public courts of the local government areas of hundred and shire in England, the manor courts for centuries kept no records; lords began, however, also in the thirteenth century, to require that proceedings be set down in rolls. The examples given here come from the rolls of the Abbey of Bec. The narrowly financial nature of the entries, which usually state little more than the offense and the fine and deprive us of much undoubtedly interesting and often scandalous detail, probably indicates that the decision to keep a roll was taken to impose a check on the steward. The lords, though they might be abstractly interested in seeing justice done, were much more concerned about the money that justice brought in—a concern also to be seen in the jealousy which they displayed for their rights in criminal justice against the king's interference. In later centuries, however, after servile tenure had disappeared, extracts from the court rolls provided the basis for the form of free tenure known as copyhold.

The "law" administered in these courts was custom, which varied widely from manor to manor; and a knowledge of custom was presumed to lie in the collective memory of those who made up the court. Both serfs and free tenants came to the court, though the latter were few in number, so that most of the persons mentioned were probably servile. Judgment was by one's peers, which in effect insured only that one could not be judged by an inferior. Gradually, however, the steward was becoming more a judge and less a mere presiding officer. Manorial courts began to imitate the practices of the new and efficient royal courts, notably in the use of that unique and profitable institution, the sworn inquest or jury. The stewards of large feudal holders probably performed a function in unifying procedure and practice in manorial courts very like that of the royal justices in the public sphere. Only freemen had access to the royal courts, and the development of royal justice emphasized by contrast the unenviable position of unfree men, over whom the lord's power was very great and increasingly arbitrary. This factor combined with increased productivity to lead increasing numbers of the more well-to-do serfs to seek to buy their freedom.

The English kings, concerned like their barons with increasing their income, and holding a theory that all justice flows from the king, tried to set limits to the exercise of private justice. Henry II (1154-89) and Edward I (1272-1307) were especially active. Like any good politician, the latter asked for more than he hoped to get. He insisted that all private jurisdiction cease unless documentary proof could be produced that a royal franchise had been granted; but he finally compromised by allowing the continuation of courts which had been held continuously since Henry II's death in 1189. This year still stands in English law as the date "beyond which the memory of man runneth not to the contrary."

The *Capitulare de Villis* has been translated from the text given in the *Monumenta Germaniae Historica: Leges II* (1883), Vol. I. The translation of the Bernerhorne extant is published in the University of Pennsylvania *Translations and Reprints*, III, No. 5 (1897), 7-11. F. W. Maitland's translation of the pleas of the

manor of the Abbey of Bec is from his edition for the Selden Society of *Select Pleas in Manorial and Other Seignorial Courts* (1889), I, 19-20 and 43-46. In each case the original text is in Latin.



CAPITULARE DE VILLIS

1. WE WISH that our estates which we have instituted to serve our needs discharge their services to us entirely and to no other men.

2. Our people shall be well taken care of and reduced to poverty by no one.

3. Our stewards shall not presume to put our people to their own service, either to force them to work, to cut wood, or to do any other task for them. And they shall accept no gifts from them, either horse, ox, cow, pig, sheep, little pig, lamb, or anything else excepting bottles of wine or other beverage, garden produce, fruits, chickens, and eggs.

4. If any of our people does injury to us either by stealing or by some other offense he shall make good the damage and for the remainder of the legal satisfaction he shall be punished by whipping, with the exception of homicide and arson cases which are punishable by fines. The stewards, for injuries of our people to other men, shall endeavor to secure justice according to the practices which they have, as is the law. Instead of paying fines our people, as we have said, shall be whipped. Freemen who live in our domains or estates shall make good the injuries they do according to their law and the fines which they have incurred shall be paid for our use either in cattle or in equivalent value.

5. When our stewards ought to see that our work is done—the sowing, plowing, harvesting, cutting of hay, or gathering of grapes—let each one at the proper season and in each and every place organize and oversee what is to be done that it may be done well. If a steward shall not be in his district or can not be in some place let him choose a good substitute from our people or another in high repute to direct our affairs that they may be successfully accomplished. And he shall diligently see to it that a trustworthy man is delegated to take care of this work.

6. We wish our stewards to give a tithe of all our products to the churches on our domains and that the tithe not be given to the churches of another except to those entitled to it by ancient usage. And our churches shall not have clerics other than our own, that is, of our people or our palace.

7. Each steward shall perform his services fully, just as it has been pre-

scribed, and if the necessity should arise that more must be done then he shall determine whether he should increase the service or the day-work.

8. Our stewards shall take care of our vines in their district and cultivate them well. And they shall put the wine in good vessels and carefully see to it that none is lost. And other required wine which is not from our vines they shall buy for provisioning the royal estates. And when they have bought more than is needed for this provisioning they shall inform us that we can let them know what is to be done with it. For they shall put the product of our vines to our use. The wine which those persons on our estates pay as rent shall be put in our cellars.

9. We wish that each steward in his district have measures of the *modius*, *sextarius*, the *situla* of eight *sextarii*, and the *corbus*, the same as we have in our palace.

10. Our mayors, foresters, stablemen, cellarers, deans, toll-collectors, and other officers shall do the regular and fixed labor and pay the due of pigs for their holdings and fulfill well their offices in return for the manual labor remitted them. And if any mayor holds a benefice he shall send his representative so that the manual labor and other services will be performed for him.

11. No steward shall take lodging for his own need or for his dogs from our people or from those in the forests.

12. No steward shall maintain at the expense of anyone else our hostages placed on our estates.

13. The stewards shall take good care of the stallions and not allow them to remain in one pasture too long lest they damage it. And if there should be any unsound or too old or about to die they shall inform us in good time before the season for putting them with the mares.

14. They shall take good care of our mares and separate them from the colts at the right time. And when the fillies increase in number they shall also be separated to form a new herd.

15. Our stewards shall have our foals sent to the palace in the winter at the Feast of Saint Martin.

16. We wish that our stewards fully perform in the manner established for them whatever we or the queen or our officers, the seneschal or the butler, in our name or that of the queen command. If anyone shall not do this through negligence he shall abstain from drink from the time that it is made known to him until he comes into our presence or that of the queen and seeks pardon from us. And if the steward is with the army, on guard duty, or on a mission or otherwise engaged and he commands his assistants to do something and they fail to do it, then they shall come afoot to the palace and abstain from

food and drink until they have given their reasons for not doing it. Then they shall receive their sentence, a whipping or whatever we or the queen deem appropriate.

17. Each steward shall have as many men taking care of the bees for our use as he has estates in his district.

18. At our mills the stewards shall have hens and geese according to the nature of the mill or as many more as is possible.

19. In our barns on the chief estates they shall have at least 100 chickens and 30 geese and on our lesser estates at least 50 chickens and 12 geese.

20. Each steward shall have the produce [of the fowl] brought always in abundance to the manor every year and besides shall inspect it three or four or more times.

21. Each steward shall have fish-ponds on our estates where they were before and if it is possible to enlarge them, he shall do so. Where there were none before and it is now possible to have them let them be constructed.

22. Those who hold vines from us shall have no less than three or four circles of grapes for our use.

23. On each of our estates the stewards shall have cow-barns, pigsties, sheep-folds, and stables for goats, as many as possible, and never be without them. And they shall further have for performing their services cows furnished by our serfs so that our barns and teams are not in the least diminished by the services of work on our demesne. And when they are charged with furnishing food they shall have lame but healthy oxens and cows, and horses that are not mangy, and other healthy animals. They shall not on that account strip, as we have said, the cow-barns or the plough-beasts.

24. Each steward shall be responsible that whatever ought to be supplied for our table is all good and excellent and prepared carefully and cleanly. And each steward shall have grain for two meals for each day of the service that he is charged with supplying our table. Similarly the other provisions shall be good in all respects, the flour as well as the meat.

25. The stewards shall make known on the first of September whether or not there is pasturage for the hogs.

26. The mayors shall not have more land in their administration than they can get about and oversee in one day.

27. Our houses shall constantly have fire and watch service that they may be safe. And when royal envoys or legates are coming to or leaving the palace, in no wise shall they exercise the right of bed and board in our manor houses except by our special order or that of the queen. But the count in his district or those persons who have been accustomed of old to caring for envoys and

legates shall continue to do so as before. And pack-horses and other necessary things shall be provided in the customary fashion that they may come to the palace or depart in a fashion befitting them.

28. We wish that every year in Lent on Palm Sunday, which is called Hosanna Sunday, our stewards carefully render according to our instructions the money arising from the products of our land after we know for the particular year what our income is.

29. Each steward shall see to it that anyone of our people who have cases to plead shall not of necessity have to come to us so that he will not lose through negligence days on which he ought to be working. And if one of our serfs has some rights to claim outside our lands, his master shall do all that he can to secure justice for him. In case the serf shall not be able to get justice his master shall not permit him to exhaust himself in his efforts but shall see to it that the matter is made known to us by himself or by his representative.

30. Of those things that our stewards ought to provide for our needs, we wish them to put aside all the products due us from them, and what must be placed in the wagons for the army, taking it from the homes as well as from the herdsman and that they know how much they have reserved for this purpose.

31. They shall set aside each year what they ought to give as food and maintenance to the workers entitled to it and to the women working in the women's quarters and shall give it fully at the right time and make known to us what they have done with it and where they got it.

32. Each steward shall see to it that he always has the very best seed by purchase or otherwise.

33. After the above things have been set aside and after the sowing and other works have been done, all that remains of all the products shall be preserved until we give word to what extent they shall be sold or stored according to our order.

34. At all times it is to be seen to with diligence that whatever is worked upon or made with the hands such as lard, smoked meat, salted meat, newly salted meat, wine, vinegar, mulberry wine, cooked wine, fermentations, mustard, cheese, butter, malt, beer, mead, honey, wax, and flour shall be prepared or made with the greatest cleanliness.

35. We wish that fat be made of the fat sheep and pigs. Moreover the stewards shall have in each estate not less than two fattened oxen either there to be made into fat or to be sent to us.

36. Our woods and forests shall be well taken care of and where there shall be a place for a clearing let it be cleared. Our stewards shall not allow the fields to become woods and where there ought to be woods they shall not allow

anyone to cut too much or damage them. And they shall look carefully after our wild beasts in the forests and also take care of the goshawks and sparrow-hawks reserved for our use. They shall collect diligently our tax for the use of our forests and if our stewards or our mayors or their men put their pigs for fattening in our forests they shall be the first to pay the tenth of them to give a good example so that thereafter the other men will pay the tenth in full.

37. The stewards shall keep our fields and cultivated lands in good shape and care for the meadows at the right time.

38. They shall always have sufficient fat geese and chickens for our use when they ought to provide it or send it to us.

39. We wish that the stewards collect the chickens and eggs which the lesser officials and the holders of *mansi* pay each year and when they are not needed that they have them sold.

40. Each steward shall always have on our estates for the sake of adornment unusual birds, peacocks, pheasants, ducks, pigeons, partridges, and turtle-doves.

41. The buildings on our estates and the fences which enclose them shall be well taken care of and the stables and kitchens, bake-houses and presses shall be carefully ordered so that the workers in our service can perform their duties fittingly and very cleanly.

42. Each manor shall have in the store-room counterpanes, bolsters, pillows, bedclothes, table and bench covers, vessels of brass, lead, iron, and wood, and-irons, chains, pot-hooks, adzes, axes, augurs, knives, and all sorts of tools so that it will not be necessary to seek them elsewhere or to borrow them. And the stewards shall be responsible that the iron instruments sent to the army are in good condition and when they are returned that they are put back into the store-room.

43. For our women's work-shops the stewards shall provide the materials at the right time as it has been established, that is flax, wool, woad, vermilion dye, madder, wool-combs, teasels, soap, grease, vessels and the other lesser things which are necessary there.

44. Of the minor foods two-thirds shall be sent for our service each year, vegetables as well as fish, cheese, butter, honey, mustard, vinegar, millet, panic, dried and fresh herbs, radishes, and turnips; similarly wax, soap, and other lesser things. Whatever is left shall be made known to us in an inventory as we have said above. The stewards shall by no means neglect to do this as they have up to now because we wish to check by the two-thirds sent to us what that third is which remains.

45. Each steward shall have good workmen in his district—iron-workers, goldsmiths, silversmiths, leather-workers, turners, carpenters, shield-makers,

fishermen, fowlers or falconers, soap-makers, brewers who know how to make beer, cider, perry or any other beverage fit to drink, bakers who can make bread for our needs, net-makers who are skilled in making nets for hunting as well as fishing or for taking birds, and other workmen whose listing would be a lengthy matter.

46. They shall take good care of our walled game preserves which the people call parks and always repair them in time and on no account delay so that it becomes necessary to rebuild them. They shall do the same for all the buildings.

47. Our hunters and falconers and other servitors who attend us zealously in the palace shall receive assistance on our estates in carrying out what we or the queen have ordered by our letters when we send them on any of our affairs, or when the seneschal or butler instructs them to do anything on our authority.

48. The wine-presses on our estates shall be well taken care of. The stewards shall see to it that no one presumes to press our grapes with his feet but that all is done cleanly and honestly.

49. The women's quarters, that is, their houses, heated rooms, and sitting-rooms, shall be well ordered and have good fences around them and strong gates that our work may be done well.

50. Each steward shall see to it that there are as many horses in one stable as ought to be there and as many attendants as should be with them. And those stablemen who are free and hold benefices in that district shall live off their benefices. Similarly if they are men of the domain who hold *mansi* they shall live off them. Those who do not have such shall receive maintenance from the demesne.

51. Each steward shall see to it that in no manner wicked men conceal our seed under the ground or do otherwise with the result that our harvests are smaller. And likewise, concerning other misdeeds, they shall watch them so that they can do no harm.

52. We wish that our stewards render justice to our *coloni* and serfs and to the *coloni* living on our estates, to the different men fully and entirely such as they are due.

53. Each steward shall see to it that our men in their districts in no way become robbers or evil-doers.

54. Each steward shall see to it that our people work well at their tasks and do not go wandering off to markets.

55. We wish that whatever our stewards have sent, supplied, or set aside for our use they shall record in an inventory; whatever they have dispensed in another; and what is left they shall also make known to us in an inventory.

56. Each steward shall hold frequent audiences in his district, administer justice, and see to it that our peoples live uprightly.

57. If any of our serfs wishes to say anything to us about our affairs over and above his steward, the steward shall not obstruct the means of his coming to us. If the steward knows that his assistants wish to come to the palace to speak against him then he shall make known to the palace the arguments against them so that their denunciations in our ears may not engender disgust. Accordingly we wish to know whether they come from necessity or without sufficient cause.

58. When our pups are committed to the stewards to be raised, the steward shall feed them at his own expense or entrust them to his assistants, that is to the mayors and deans or to the cellarers, who shall feed them well at their own expense unless it happens that by our order or that of the queen they are to be fed on our estate at our expense. In that case the steward shall send a man for this work who will feed them well. And he shall set aside what is to be fed them so that it will not be necessary for him to go to the kennels every day.

59. Each steward when he should give service shall send every day three *librae* of wax and eight *sextaria* of soap; besides this he shall do his best to send six *librae* of wax wherever we shall be with out attendants on the Feast of Saint Andrew; he shall do likewise at Mid-Lent.

60. On no account shall mayors be selected from the powerful men but from those of middling estate who are trustworthy.

61. Each steward when he should give service shall have his malt brought to the palace and at the same time have the master brewers come who are to make good beer there.

62. That we may know what and how much of everything we have, each steward every year at Christmas shall report those of our revenues which they hold, everything differentiated clearly and orderly. That is, an accounting of the land cultivated with the oxen which our ploughmen drive and that which is cultivated by the holders of *mansi* who owe us labor-service; of the payments of pigs, the taxes, the income from judgments and fines and from the beasts taken in our forests without our permission and from the other compositions; an accounting of the mills, forests, fields, bridges, and ships; of the free men and the hundred-men who owe service for parts of our domain; of the markets, vineyards and of those who pay us wine; of the hay, firewood, torches, planks and other lumber; of the income from the waste-land; of the vegetables, millet, panic, wool, flax, and hemp; of the fruit of the trees, of the big and little nuts, of the graftings of various trees, of the gardens, turnips, fishponds, hides, skins and horns; of the honey, wax, fat, tallow, and soap;

of the mulberry wine, cooked wine, mead, and vinegar; of the beer, new and old wine, new and old grain, chickens and eggs, and geese; of the fishermen, smiths, shield-makers and leather-workers; of the troughs, boxes, and cases; of the turners and saddlers; of the forges and mines, that is iron, lead, and other mines; of those paying taxes; and of the colts and fillies.

63. Of all the above mentioned things nothing that we require shall seem hard to our stewards for we wish the stewards to require them from their assistants in the same fashion without any hardship. And all things which any man shall have in his house or on his estates our stewards ought also to have on our estates.

64. Our carts which accompany the army, that is, the war-carts, shall be well-constructed, and their coverings be good, with hides on top and so sown together that if the necessity of swimming waters should arise they can cross rivers without any water getting to the provisions inside and in this fashion our things may, as we said, get across without damage. And we wish that flour for our use be put in each cart, that is 12 *modii*, and that they put in those in which wine is sent 12 *modii* of our measure. In each cart let them have a shield, a lance, a quiver, and a bow.

65. The fish in our fish-ponds shall be sold and others put in their place so that they may always have fish in them. However, when we are not coming to our estates they shall be sold and our stewards shall dispose of them to our advantage.

66. The stewards shall report to us the number of male and female goats and their horns and skins; and they shall bring to us annually newly salted cuts of fat goats.

67. The stewards shall inform us about any vacant *mansi* or any newly acquired serfs if they have any in their district for whom they have no place.

68. We wish that each steward always have ready good barrels bound with iron which they can send to the army or to the palace and that the stewards do not make containers of leather.

69. The stewards at all times shall report to us how many wolves each one has taken and shall send the skins to us. And in the month of May they shall hunt down and destroy the whelps with poison, traps, pits, and dogs.

70. We wish that the stewards have all sorts of plants in the garden, namely, lilies, roses, fenugreek, costmary, sage, rue, southernwood, cucumbers, pumpkins, squash, kidney-beans, cumin, rosemary, caraway, chick-peas, squill, gladiolus, dragon-arum, anise, colosynth, heliotrope, spicknel, seseli, lettuce, fennel-flower, rocket, garden cress, burdock, penny-royal, horse-parsley, parsley, celery, lovage, juniper, dill, sweet-fennel, endive, dittany, mustard, savory, water-mint, garden mint, apple-mint, tansy, catnip, centaury, garden-poppy,

beets, hazel-wort, marshmallows, tree-hibiscus, mallows, carrots, parsnip, garden-orach, amaranth, kohlrabi, cabbages, onions, chives, leeks, radishes, shallots, cibols, garlic, madder, teasel, garden beans, Moorish peas, coriander, chervil, capers, clary. And the gardener shall have house-leek growing on his house.

As for trees, we wish that they have various kinds of apple, pear, and plum trees, sorb, medlar, chestnut, peach trees of different kinds, quince, filbert, almond, mulberry, laurel, pine, fig, walnut, and cherry trees of various kinds.

Names of apple trees: *gozmaringa*, *geroldinga*, *crevedella*, *spirauca*, sweet ones and sour ones, and all the kind that keep, as well as those which are eaten when picked and those that are forced.

They shall have three or four kinds of pears which will keep, sweet ones, cooking, and late pears.

A MANOR OF THE FOURTEENTH CENTURY, *A.D. 1307*

EXTENT of the manor of Bernehorne, made on Wednesday next after the feast of St. Gregory the Pope, in the thirty-fifth year of the reign of King Edward, in the presence of Brother Thomas, keeper of Marley, John de la More, and Adam de Thruhlegh, clerks, on the oath of William de Gocecoumbe, Walter le Parker, Richard le Knyst, Richard the son of the latter, Andrew of Estone, Stephen Morsprich, Thomas Brembel, William de Swynham, John Pollard, Roger le Glide, John Syward and John de Lillingewist, who say etc., that there are there all the following things:

The jurors ¹ say that the principal messuage ² and its garden with the herbage ³ and curtilage ⁴ are worth yearly 6s. 8d.; and the dovecote is worth yearly 5s.; and the windmill is worth yearly 20s.

And there are there 12 acres of thick undergrowth whence the pannage and herbage are worth yearly 2s.

And there are there 42 acres of maritime land ⁵ in a certain place called Scotsmarsh, each acre of which is worth yearly 12d., the sum being 42s.

And there are 7 acres and 1 rood of maritime land in a certain place called Aldithewisse; and 47 acres and 3 roods of maritime land in a certain place called Flittermarsh, each acre of which is worth yearly 12d., the sum being 55s.

¹ [That is, those who gave sworn testimony.]

² [Dwelling site.]

³ [Pasture.]

⁴ [Yard.]

⁵ [Apparently land that was close to the salt marsh but yet capable of being cultivated, since agricultural services of the villein tenants are mentioned subsequently. Bernehorne is quite near the sea.]

And there are there 22 acres of maritime land in two places called Pundfold and Longrech; and 7 acres of maritime land in a certain place called Wyssh, and 8 acres and 3 roods of maritime land in a certain place called Uperoft marsh, and 3 acres and a half of maritime land in a certain place called Redewysshe; and each acre is worth yearly 12d., the sum being 41s. 3d. [Various numbers of acres of land situated in different places and at values from 3d. to 18d. per acre a year are here named.] . . .

The total of the acres of woods is 12 acres.

The total of the acres of arable land is 444 acres and 3 roods, of which 147 acres 4 roods are maritime land, 101 acres marshy land, and 180 acres waste ground.

The total of the acres of meadow is 13 acres 1 rood.

The total of the whole preceding extent 18℥ 10s. 4d.

John Pollard holds a half acre in Aldithewisse and owes 18d. at the four terms, and owes from it relief and heriot.

John Suthinton holds a house and 40 acres of land and owes 3s. 6d. at Easter and Michaelmas.

William of Swynhamme holds 1 acre of meadow in the thicket of Swynhamme and owes 1d. at the feast of Michaelmas.

Ralph of Leybourne holds a cottage and 1 acre of land in Pinden and owes 3s. at Easter and Michaelmas, and attendance at the court in the manor every three weeks, relief and heriot.

Richard Knyst of Swynhamme holds two acres and a half of land and owes yearly 4s.

William at Knelle holds 2 acres of land in Aldithewisse and owes yearly 4s.

Roger le Glede holds a cottage and 3 roods of land and owes 2s. 6d. at Easter and Michaelmas.

Alexander Hamound holds a little piece of land near Aldithewisse and owes 1 goose, of the value of 2d.

The sum of the whole rent of the free tenants, with the value of the goose, is 18s. 9d.

They say moreover that John of Cayworth holds a house and 30 acres of land, and owes yearly 2s. at Easter and Michaelmas; and he owes a cock and two hens of Christmas, of the value of 4d.

And he ought to harrow for 2 days at the Lenten sowing with one man and his own horse and his own harrow, the value of the work being 4d.; and he is to receive from the lord on each day three meals, of the value of 5d., and then the lord will be at a loss of 1d. Thus his harrowing is of no value to the service of the lord.

And he ought to carry the manure of the lord for 2 days with 1 cart, with

his own 2 oxen, the value of the work being 8d.; and he is to receive from the lord each day 3 meals of the price as above. And thus the service is worth 3d. clear.

And he shall find 1 man for 2 days for mowing the meadow of the lord, who can mow, by estimation 1 acre and a half, the value of the mowing of an acre being 6d.; the sum is therefore 9d.; and he is to receive each day 3 meals of the value given above; and thus that mowing is worth 4d. clear.

And he ought to gather and carry that same hay which he has cut, the price of the work being 3d.

And he shall have from the lord 2 meals for 1 man, of the value of $1\frac{1}{2}$ d. Thus the work will be worth $1\frac{1}{2}$ d. clear.

And he ought to carry the hay of the lord for 1 day with a cart and 3 animals of his own, the price of the work being 6d. And he shall have from the lord 3 meals of the value of $2\frac{1}{2}$ d. And thus the work is worth $3\frac{1}{2}$ d. clear.

And he ought to carry in autumn beans or oats for 2 days with a cart and 3 animals of his own, the value of the work being 12d. And he shall receive from the lord each day 3 meals of the value given above; and thus the work is worth 7d. clear.

And he ought to carry wood from the woods of the lord as far as the manor for two days in summer with a cart and 3 animals of his own, the value of the work being 9d. And he shall receive from the lord each day 3 meals of the price given above; and thus the work is worth 4d. clear.

And he ought to find 1 man for 2 days to cut heath, the value of the work being 4d., and he shall have 3 meals each day of the value given above; and thus the lord will lose, if he receives the service, 3d. Thus that mowing is worth nothing to the service of the lord.

And he ought to carry the heath which he has cut, the value of the work being 5d. And he shall receive from the lord 3 meals at the price of $2\frac{1}{2}$ d. And thus the work will be worth $2\frac{1}{2}$ d. clear.

And he ought to carry to Battle twice in the summer season, each time half a load of grain, the value of the service being 4d. And he shall receive in the manor each time 1 meal of the value of 2d. And thus the work is worth 2d. clear.

The total of the rents, with the value of the hens, is 2s. 4d.

The total of the value of the works is 2s. $3\frac{1}{2}$ d; owed from the said John yearly.

William of Cayworth holds a house and 30 acres of land and owes at Easter and Michaelmas 2s. rent. And he shall do all customs just as the foresaid John of Cayworth.

William atte Grene holds a house and 30 acres of land and owes in all things just as the said John.

Alan atte Felde holds a house and 16 acres of land (for which the sergeant pays to the court of Bixley 2s.),⁶ and he owes at Easter and Michaelmas 4s., attendance at the manor court, relief and heriot.

John Lyllingwyst holds a house and 4 acres of land and owes at the two terms 2s., attendance at the manor court, relief and heriot.

The same John holds 1 acre of land in the fields of Hoo and owes at the two periods 2s., attendance, relief and heriot.

Reginald atte Denne holds a house and 18 acres of land and owes at the said periods 18d., attendance, relief and heriot.

Robert of Northehou holds 3 acres of land at Saltcote and owes at the said periods attendance, relief and heriot.

Total of the rents of the villeins, with the value of the hens, 20s.

Total of all the works of these three villeins, 6s. 10½d.

And it is to be noted that none of the above named villeins can give their daughters in marriage nor cause their sons to be tonsured,⁷ nor can they cut down timber growing on the lands they hold, without license of the bailiff or sergeant of the lord, and then for building purposes and not otherwise. And after the death of any one of the foresaid villeins the lord shall have as a heriot his best animal, if he had any; if however he have no living beast the lord shall have no heriot, as they say. The sons or daughters of the foresaid villeins shall give for entrance into the holding after the death of their predecessors as much as they give of rent per year.

Silvester the priest holds 1 acre of meadow adjacent to his house, and owes yearly 3s.

Total of the rent of tenants for life, 3s.

Petronilla atte Holme holds a cottage and a piece of land and owes at Easter and Michaelmas . . . attendance, relief and heriot.

Walter Heryng holds a cottage and a piece of land and owes at Easter and Michaelmas 18d., attendance, relief and heriot.

Isabella Mariner holds a cottage and owes at the feast of St. Michael 12d., attendance, relief and heriot. [Eleven other cotters are named holding cottages and amounts of land varying from a rood to three and a half acres and giving payments up to three shillings, and the other services.] . . .

⁶ [Bixley was a neighboring manor, held by the bishop of Chichester, having certain claims over some of the land in the manor of Bernehorne.]

⁷ [That is, to let them enter the clergy. This was not only a common prohibition according to the custom of many manors but was enacted in statute law. "Sons of rustics ought not to be ordained without the assent of the lord on whose land they are known to have been born." *Constitutions of Clarendon*, c. 16. (A.D. 1164.)]

Total of the rents of the said cotters, with the value of the hens, 34s. 6d.

And it is to be noted that all the said cotters shall do as regards giving their daughters in marriage, having their sons tonsured, cutting down timber, paying heriot, and giving fines for entrance just as John of Cayworth, and the rest of the villeins formerly mentioned.

Note, fines ^b and penalties, with heriots and reliefs, are worth yearly 5s.

PLEAS OF THE MANORS OF THE ABBEY OF BEC

OGBOURNE [WILTSHIRE]. Thursday in Whitsun week. [A.D. 1249.]

William Blackbeard in mercy for not coming with his law as he was bound to do. Pledges, Geoffrey of Wick and Geoffrey Payn. Fine, 6d.

It was presented that Stephen Shepherd by night struck his sister with a knife and grievously wounded her. Therefore let him be committed to prison. Afterwards he made fine with 2s. Pledge, Geoffrey of Wick.

It was presented that Robert Carter's son by night invaded the house of Peter Burgess and in felony threw stones at his door so that the said Peter raised the hue. Therefore let the said Robert be committed to prison. Afterwards he made fine with 2s.

Nicholas Drye, Henry le Notte (fine, 12d.) and Thomas Hogue (fine, 12d.) were convicted for that they by night invaded the house of Sir Thomas the Chaplain and forcibly expelled thence a man and woman who had been taken in there as guests. Therefore they are in mercy. Pledges of the said Thomas, Richard of Lortemere and Jordan of Paris. Pledges of the said Henry, Richard Pen . . . and Richard Butry.

Adam Moses gives half a sextary of wine to have an inquest as to whether Henry Ayulf accused him of the crime of larceny and used opprobrious and contumelious words of him. Afterwards they made accord and Henry finds security for an amercement. Fine, 12d.

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Isabella Sywards in mercy for having sold to Richard Bodenham land that she could not warrant him.

All the ploughmen of great Ogbourne are convicted by the oath of twelve men . . . because by reason of their default [the land] of the lord was ill ploughed whereby the lord is damaged to the amount of 9s. . . . And Walter

⁸ [A "fine" was a payment made to the lord by any one who acquired land in the manor in any other way than by inheritance, in which case the payment was relief. The usual word for a penalty was not "fine" but "amerciament"; or it was recorded that a person was "in mercy."]

Reaper is in mercy for concealing [that is, not giving information as to] the said bad ploughing. Afterwards he made fine with the lord with 1 mark.

From Ralph Joce 6s. 8d. for his son, because he [the son] unlawfully carried off corn from the lord's court. Pledge, Geoffrey Joce.

From Henry Pink 12d. for a trespass by waylaying.

From Eve Corner 6d. for a trespass of her pigs.

From Ralph Scales 6d. for timber carried off.

From William Cooper 12d. for ploughing his own land with the lord's plough without licence.

From Hugh Newman 12d. for trespass in the wood.

From Richard Penant 12d. for the same.

From Helen widow of Little Ogbourne 6d. for the same.

From Nicholas Siward 6d. for a false complaint against William Pafey.

From William Pafey 12d. for fighting with the said Nicholas.

From the widow of Ralph Shepherd 6d. for a trespass in Pencombe.

RUISLIP [MIDDLESEX]. Court holden on Friday next after the feast of S. Barnabas in the twenty-fourth year of Edward I. [A.D. 1296.]

Adam of Ramsey was attached to answer the lord at the suit of William Forester and William Reaper on the pledge of William of the Exchequer and Robert Aliz in a plea of trespass, why when the said Adam together with persons unknown had at Ruislip on the Friday in Whitsunweek come with a cart upon the fee and franchise of the lord to the house of Hugh Marleward the born bondman of the said lord and there had caused to be carried away in the said cart certain timber cut down by the said Hugh Marleward against the lord's prohibition (the said prohibition so issued by the lord being known to the said Adam), in order that against the lord's will the said timber might be removed from the lord's franchise to the damage of the lord 100s., and when the said William Forester and William Reaper as bailiffs of the lord had come up and found the transport taking place and had on behalf of our lord the king and of his [Adam's] lord commanded him not to remove the said timber thus placed under the lord's prohibition from the said place against the lord's will and to find pledges to answer the lord in his court as to his having thus attempted to remove the said timber from the lord's franchise against the lord's will, and had taken a horse from the said Adam's cart by way of gage in order to attach him to answer the lord for the said trespass, he the said Adam together with persons unknown made an assault upon them [the two Williams] by force and arms and would not permit himself to be attached in manner aforesaid according to the law and custom of the realm, but to the utmost of his power made rescue of the said horse which had been attached,

whereupon the said two Williams raised the hue against the said Adam and his adherents who were thus making assault, and to the hue there came Walter Savage tithingman of Eastcot with his whole tithing,⁹ and the said Adam himself raising the hue bade them in the king's name follow him with the hue saying that he while acting as serjeant of our lord the king had been robbed of his horse by the said two Williams against his will and against the king's peace, whereupon the said Walter the tithingman with his whole tithing affrighted by the command thus given in the king's name raised the hue and along with Adam pursued after the said two Williams as though they were felons unto the manor [house] of the lord, and moreover at the gate of the said manor [house] the said Adam with those who were following him raised the hue against the lord and his men, saying as aforesaid that he had been robbed of his said horse by the said two Williams; [all of which was] to the damage and dishonour of the lord to the amount of roos. and more; all of which things the said Adam did. Of all of which trespasses thus in full court charged against him, the said Adam confesses himself in all respects guilty, and he puts himself in the lord's mercy and finds pledges, to wit, Walter Savage, Robert Nothel, John Kevere and Hugh Marleward. Afterwards the amercement was assereed¹⁰ at two marks by Roger of Southcote William of the Exchequer and Hugh of Combe free suitors of the court.

. . . .

Henry White demands one acre of land which was holden by John his brother whose heir he is, as he says. And Cristina Trice comes and says that she has greater right to hold the said acre for her life than Henry to demand it, for she says that the said John purchased the said acre after his marriage with her and according to the custom of the manor of Ruislip a wife after her husband's death should hold the whole of any purchase made by him after his marriage with her; and this she offers to verify by the court, and she gives the lord 6d. to have an inquest. And the inquest says that the custom of the manor is as Cristina pleads it, so that she has greater right to hold than Henry to demand the said land. Therefore it is considered that she do hold as she now holds and that Henry be in mercy etc.; [fine,] 3d.

. . . .

The chief pledges present that Robert of Chiltern, William called the Clerk, Henry called Prust, Henry Cook, John Maleville, Elias Smith, William Leper,

⁹ [A "tithing" refers to a group, usually ten in number, under a "tithingman" responsible for the behavior of its members and for pursuing criminals.]

¹⁰ [Fixed.]

Robert Redhead and Peter Steven made default. It is commanded that they be attached etc.

It is presented that William Forester raised the hue against Adam of Ramsey and rightfully. Therefore let Adam find gage for an amercement.

Also it is presented that Walter Savage, John Blackmere, William Field, William Marleward, John ate Hatche, Robert Wrenche, Richard ate Forde, Amicia of Pinner, Juliana ate Hulle, Richard Sherewind, Richard Wheeler, William Edelot and Ralph Fountain levied the hue against the lord and his servants wrongfully and kept it up for a long time before the lord's gate and wrongfully. Therefore they are adjudged to the pillory [?] and put in the stocks etc.

Also it is presented that Geoffrey of Reygate raised the hue against John Payn and rightfully. Therefore let John find gage for an amercement.

Also it is presented that John Fige raised the hue and that rightfully against certain men who by night with force and arms were carrying off the lord's sparrow-hawks, of which men nothing is as yet known.

. . . .

John Robin offered the lord a mark of silver for leave to retire from the office of reeve.¹¹ It is commanded that the money be levied.

John Kevere raised the hue against the lord and his servants wrongfully, and denied in full court that he was the lord's born bondman, wherefore his land was seized into the lord's hand. Afterwards he comes and in full court confesses himself the lord's born bondman and is put back in seisin of his land and places himself altogether in the lord's mercy etc. The case is respited.

¹¹ [Bailiff.]

THE TOWN

THE RAPID GROWTH of towns—in number, size, and wealth—is perhaps the most striking phenomenon in late medieval Europe. Whatever their origins, the guarantee of their continued existence and the stimulus to their growth were found in trade. The volume of trade had never fallen so low as people have been accustomed to think, although its character and direction changed considerably after the break-up of the Mediterranean economy of the ancient world. From the tenth century, however, there was a rapid acceleration, radiating from the great entrepôts in northern Italy and the Low Countries, and throwing up confederations of cities like the Lombard League or the powerful Hanseatic League, which dominated the commerce of northern Europe in the thirteenth and fourteenth centuries.

The early towns were not very attractive. Life expectancy was short, and the risks of medieval trading were great; but fortunes were made, and a new society was produced in which were to be found ultimately the most effective solvents of the old order. In the earlier centuries, the distinction between towns and countryside was not so great; but the needs of commerce, notably for freedom from tolls and arbitrary exactions and for special laws, courts, and administration, soon led to an insistence by the townsmen on autonomy and a fight to keep a similar economy from developing in country villages. Some lords, among them many ecclesiastics, opposed this development and gave way only to heavy pressure or even force; others, notably the kings, associated themselves with the movement, sold charters for handsome sums, and in the long run profited both financially and politically from their foresight. Often charters were drawn up in imitation of grants to other towns; thus the "Laws of Breteuil," a small town in Normandy, were widely copied in England. King John's charter to Gloucester, granted in 1200 and confirmed in 1227 and 1328, is illustrative of the privileges which townsmen wanted. The term "borough" in England was applied to towns of widely varying privileges characterized by a certain form of free, heritable, and alienable tenure known as burgage, although in time the use of the term becomes confused. The uniqueness of the boroughs is reflected in the separate summoning of and consultation with their representatives in early parliaments. It was probably more royal convenience than common interests that led to their association with the knights of the shire to form the "commons" in the fourteenth century.

Within the towns trade and industry were frequently organized by guilds, groups of merchants or craftsmen devoted to the maintenance of monopoly, some protection and assurance of quality for the consumer, regulation of production and common commercial policy, and the provision of social and welfare facilities for their members. The patterns of guild organization and control varied greatly, and it is difficult in the present state of research into economic history to speak confidently about their origins or procedures, but the documents printed here reflect certain typical activities and concerns. The Southampton ordinances, a fourteenth-century document many of whose provisions long antedate 1300, apply to a mer-

chant guild, a type in existence very early but by no means universal, London being a striking example of a city which never had a merchant guild. The articles of the London hatters of 1347, on the other hand, illustrate the guild principle as applied in a particular trade, with a special emphasis on the rules governing production. Although masters in the so-called craft guilds often carried through the whole process of production from the purchase of raw material to the sale of the finished product, it must not be assumed that, at least in large cities, there were no merchant capitalists who could influence both supply and sale and so limit the craftsman's independence. The regulations and denunciations dealing with middlemen are sufficient testimony to their existence.

The guilds display an interest in common action and mutual support and a distrust of the man who violates accepted commercial morality by attempting to raise himself above his fellows. Despite their concern for monopoly, guilds should not be compared to trade unions; they are rather more like modern trade associations which are concerned with the position and reputation of their members and which at times manifest tendencies to set common policies and prices. But guild regulation could not easily prevent a man with capital from grasping opportunities offered by an expanding economy; and indeed in many instances guilds were perverted to serve the interests of more important and wealthy members who were able to seize control. As guilds grew more wealthy and elaborate, with special uniforms, sumptuous banquets, and luxurious guildhalls, they fell away from their original economic purposes into exclusiveness and lethargy, to await attempts by early modern governments to reinvigorate them.

The relation between guilds and town governments was close. Often only freemen of a guild had the right to choose officials or to hold office; and the town governments found the guilds useful organs for supervising industry and trade. Municipal control, direct or indirect, was aimed at maintaining quality and reasonable prices and at enforcing the dominant commercial morality which condemned such sharp practices as the buying of goods before they came to market, cornering the market, or buying simply to sell again at a profit—the famous abuses of forestalling, engrossing, and regrating. A good illustration of such a municipal code is the Grimsby Provision, agreed to before a representative of King Henry III and approved by him in 1258. Regulation of this sort was taken over by the national state in the early modern period and became an important component of the system we know as mercantilism.

Notwithstanding the unique society and culture of medieval towns, their role in national government was largely one of potentiality. The wealth of the bourgeoisie was indispensable, and they provided many administrators for the kings in their drive to centralization; but the social prestige of the nobility remained dominant. Much of modern history can be explained in terms of the attempt of the bourgeoisie to gain recognition and to capture government; but, however deeply their ideas may have penetrated outside their ranks in the course of the struggle, not until the nineteenth century was their direct control assured.

The translations of the Gloucester charter and Grimsby Provision have been compiled from the topical presentations edited by A. Ballard, *British Borough Chapters* (2 vols., Cambridge University Press, 1913 and 1923). The Southampton ordinances appear in the *University of Pennsylvania Translations and Reprints*,

II, No. 1 (1895), 12-17. The articles of the London hatters are taken from H. T. Riley, *Memorials of London and London Life, 1276-1419* (London, 1868). The guild documents are from the French, and the others from the Latin.



CHARTER TO THE BURGESSES OF GLOUCESTER

JOHN, BY THE GRACE OF GOD KING ETC. Know ye that we have granted and by this charter confirmed to our burgesses of Gloucester the whole borough of Gloucester with its appurtenances to be held of us and our heirs for ever at farm, rendering every year fifty-five pounds sterling as they were wont to render and ten pounds by tale as increment of the farm at our Exchequer in the Easter term and in the Michaelmas term.

We also grant to our burgesses of Gloucester of the Merchant Guild that none of them shall plead outside the walls of the borough of Gloucester on any plea except pleas of foreign tenures and except the minters and our ministers.

We also grant to them that none of them shall fight a duel. And that concerning pleas pertaining to our crown they shall clear themselves according to the ancient custom of the borough.

We also grant this to them that all the burgesses of the Merchant Guild shall be quit of toll, lastage, pontage, and stallage in and out of fairs and throughout the seaports of all our lands both on this and the other side of the sea, saving in all things the liberties of the city of London.

And that none shall be judged of an amercement of money except according to the ancient law of the borough which they had in the time of our ancestors.

And that they shall justly have their lands and tenures and mortgages and all debts, whosoever owes them to them.

And concerning their lands and tenures which are within the borough, right shall be done to them according to the custom of the borough.

And of all their debts which are lent in Gloucester and of mortgages there made pleas shall be held at Gloucester.

And if any in all our land take toll or custom from the men of Gloucester of the Merchant Guild, after he has failed to redress, the sheriff of Gloucester or the reeve of Gloucester shall take distress therefor at Gloucester, saving in all things the liberties of the city of London.

Moreover, for the improvement of the borough we have granted them that

they all shall be quit of Year's gift and of Scotale if our sheriff or any other bailiff exacts Scotale.

These aforesaid customs we grant to them and all other liberties and free customs which they had in the time of our ancestors when they better or more freely had the same.

And if any customs were unjustly raised during the war, they shall be disallowed.

And whoever shall seek the borough of Gloucester with his merchandise, whether foreigners or others, of whatever place they may be, they may come, sojourn, and depart in our safe peace on paying the due customs, and no one shall unjustly disturb them against this our charter.

And we forbid anyone to commit wrong or damage or molestation against them on pain of forfeiture of ten pounds to us.

Wherefore we wish and firmly ordain that the aforesaid burgesses and their heirs have and hold in inheritance from us and our heirs all the aforementioned things, well and in peace, freely and quietly, and honorably, just as it is written above.

We also will and grant that our same burgesses of Gloucester by the common counsel of their borough shall elect two of the more legal and discreet burgesses of the borough of Gloucester and present them to our chief justice at Westminster, and these men or one of them shall well and faithfully keep the provostship of the borough and shall not be removed so long as they administer things well in their bailiwick, except by the common counsel of the borough.

We will also that in the same borough of Gloucester there shall be elected by the common counsel of the burgesses four of the more legal and discreet men of the borough to keep the pleas of the crown and the other matters which pertain to us and our crown in the same borough. And to see that the reeves or the reeve of that borough justly and lawfully treat both poor and rich.

Witness: . . . etc.

ORDINANCES OF THE GUILD MERCHANT OF SOUTHAMPTON

1. IN THE FIRST PLACE, there shall be elected from the Gild Merchant, and established, an alderman, a steward, a chaplain, four skevins,¹ and an usher. And it is to be known that whosoever shall be alderman shall receive from each one entering into the Gild fourpence, the steward, twopence; the chaplain, twopence; and the usher, one penny. And the Gild shall meet twice a

¹ [Bailiffs.]

year: that is to say, on the Sunday next after St. John the Baptist's day, and on the Sunday next after St. Mary's day.

2. And when the Gild shall be sitting no one of the Gild is to bring in any stranger, except when required by the alderman or steward. And the alderman shall have a sergeant to serve before him, the steward another sergeant, and the two skevins a sergeant, and the other two skevins a sergeant, and the chaplain shall have his clerk.

3. And when the Gild shall sit, the alderman is to have, each night, so long as the Gild sits, two gallons of wine and two candles, and the steward the same; and the four skevins and the chaplain, each of them one gallon of wine and one candle, and the usher one gallon of wine.

4. And when the Gild shall sit, the lepers of La Madeleine shall have of the alms of the Gild, two sesters of ale, and the sick of God's House and of St. Julian shall have two sesters of ale. And the Friar's Minors shall have two sesters of ale and one sester of wine. And four sesters of ale shall be given to the poor wherever the Gild shall meet.

5. And when the Gild is sitting, no one who is of the Gild shall go outside of the town for any business, without the permission of the steward. And if any one does so, let him be fined two shillings, and pay them.

6. And when the Gild sits, and any gildsman is outside of the city so that he does not know when it will happen, he shall have a gallon of wine if his servants come to get it. And if a gildsman is ill and is in the city, wine shall be sent to him, two loaves of bread and a gallon of wine and a dish from the kitchen; and two approved men of the Gild shall go to visit him and look after his condition.

7. And when a gildsman dies, all those who are of the Gild and are in the city shall attend the service for the dead, and gildsmen shall bear the body and bring it to the place of burial. And whoever will not do this shall pay according to his oath, two pence, to be given to the poor. And those of the ward where the dead man shall be ought to find a man to watch over the body the night that the dead shall lie in his house. And so long as the service of the dead shall last, that is to say, the vigil and the mass, there ought to burn four candles of the Gild, each candle of two pounds weight or more, until the body is buried. And these four candles shall remain in the keeping of the steward of the Gild.

8. The steward ought to keep the rolls and the treasure of the Gild under the seal of the alderman of the Gild.

9. And when a gildsman dies, his eldest son or his next heir shall have the seat of his father, or of his uncle, if his father was not a gildsman, and of no other one; and he shall give nothing for his seat. No husband can have a seat

in the Gild by right of his wife, nor demand a seat by right of his wife's ancestors.

10. And no one has the right or power to sell or give his seat in the Gild to any man; and the son of a gildsman, other than his eldest son, shall enter into the Gild on payment of ten shillings, and he shall take the oath of the Gild.

11. And if a gildsman shall be imprisoned in England in time of peace, the alderman with the steward, and with one of the skevins shall go, at the cost of the Gild, to procure the deliverance of the one who is in prison.

12. And if any gildsman strikes another with his fist and is convicted thereof, he shall lose the Gild until he shall have bought it back for ten shillings, and taken the oath of the Gild again like a new member. And if a gildsman strikes another with a stick, or a knife, or any other weapon, whatever it may be, he shall lose the Gild and the franchise, and shall be held as a stranger until he shall have been reconciled to the good men of the Gild and has made recompense to the one whom he has injured; and has paid a fine to the Gild of twenty shillings, and this shall not be remitted.

13. If any one does an injury, who is not of the Gild, and is of the franchise or strikes a gildsman and is reasonably convicted he shall lose his franchise and go to prison for a day and a night.

14. And if any stranger, or any other who is not of the Gild nor of the franchise, strikes a gildsman, and is reasonably convicted thereof, let him be in prison two days and two nights, unless the injury is such that he should be more severely punished.

15. And if a gildsman reviles or slanders another gildsman, and a complaint of it comes to the alderman, and, if he is reasonably convicted thereof, he shall pay two shillings fine to the Gild, and if he is not able to pay he shall lose the Gild.

16. And if anyone, who is of the franchise, speaks evil of a gildsman, and is convicted of this before the alderman, he shall pay five shillings for a fine, or lose the franchise.

17. And no one shall come to the council of the Gild if he is not a gildsman.

18. And if anyone of the Gild forfeits the Gild by any act or injury, and is excluded by the alderman and the steward and the skevins and the twelve sworn men of the city; and he wishes to have the Gild again, he shall do all things anew just as one who has never been of the Gild, and shall make amends for his injury according to the discretion of the alderman and the aforesaid approved men. And if anyone of the Gild or of the franchise brings a suit against another outside of the city, by a writ or without a writ, he shall lose the Gild and the franchise if he is convicted of it.

19. And no one in the city of Southampton shall buy anything to sell again

in the same city, unless he is of the Gild Merchant or of the franchise. And if anyone shall do so and is convicted of it, all which he has so bought shall be forfeited to the king; and no one shall be quit of custom unless he proves that he is in the Gild or in the franchise, and this from year to year.

20. And no one shall buy honey, fat, salt herrings, or any kind of oil, or mill-stones, or fresh hides, or any kind of fresh skins, unless he is a gildsman; nor keep a tavern for wine, nor sell cloth at retail, except in market or fair days; nor keep grain in his granary beyond five quarters, to sell at retail, if he is not a gildsman; and whoever shall do this and be convicted, shall forfeit all to the king.

21. No one of the Gild ought to be partner or joint dealer in any of the kinds of merchandise before mentioned with anyone who is not of the Gild, by any manner of coverture, or art, or contrivance, or collusion, or in any other manner. And whosoever shall do this and be convicted, the goods in such manner bought shall be forfeited to the king, and the gildsman shall lose the Gild.

22. If any gildsman falls into poverty and has not the wherewithal to live, and is not able to work or to provide for himself, he shall have one mark from the Gild, to relieve his condition when the Gild shall sit. No one of the Gild nor of the franchise shall avow another's goods for his by which the custom of the city shall be injured. And if any one does so and is convicted, he shall lose the Gild and the franchise; and the merchandise so avowed shall be forfeited to the king.

23. And no private man nor stranger shall bargain for or buy any kind of merchandise coming into the city before a burgess of the Gild Merchant, so long as the gildsman is present and wishes to bargain for and buy this merchandise; and if any one does so and is convicted, that which he buys shall be forfeited to the king.

24. And anyone who is of the Gild Merchant shall share in all merchandise which another gildsman shall buy or any other person, whoever he is, if he comes and demands part and is there where the merchandise is bought, and also if he gives satisfaction to the seller and gives security for his part. But no one who is not a gildsman is able or ought to share with a gildsman, without the will of the gildsman.

25. And if any gildsman or other of the city refuse a part to the gildsman in the manner above said, he shall not buy or sell in that year in the town, except his victuals.

26. And if any merchant of the town buys wine or grain so that all the risk shall be on the buyer, he shall not pay custom for this merchandise. And if any risk is upon the seller, he shall pay.

27. It is provided that the chief alderman of the town, or the bailiffs and the

twelve sworn men, shall give attention to the merchants as well strangers as private men, as often as it shall be required, to see that they have sufficient security for their debts, and recognisance from their debtors; and the day of this shall be enrolled before them, so that if that day is not kept, on proof by the creditor, the debtor should be then distrained according to the recognisance which he has made, in lands and chattels, to give satisfaction according to the usage of the town, without any manner of pleading, so that the men of the town should not have damage by the default of payment of the debtors aforesaid.

28. And if any gildsman for any debt which he may owe, will not suffer himself to be distrained, or when he has been distrained, shall break through, or make removal or break the king's lock, and be convicted thereof, he shall lose his gildship until he has bought it again for twenty shillings, and this each time that he offends in such manner. And he shall be none the less distrained until he has made satisfaction for the debt he owes; and if he will not submit to justice as aforesaid and be thereof convicted, he shall go to prison for a day and a night like one who is against the peace; and if he will not submit to justice let the matter be laid before the king, and his council in manner aforesaid.

29. And the chief alderman, and the twelve sworn men, or the bailiffs, each month, or at least four times a year shall see that the assize² of bread and ale be well kept in all points according to the price of corn.

32. Every year, on the morrow of St. Michael, shall be elected by the whole community of the town, assembled in a place provided, to consider the estate and treat of the common business of the town—then shall be elected by the whole community, twelve discreet men to execute the king's commands, together with the bailiffs, and to keep the peace and protect the franchise, and to do and keep justice to all persons, as well poor as rich, natives or strangers, all that year; and to this they shall be sworn in the form provided. And these twelve discreet men shall choose the same day two discreet men from among themselves and the other profitable and wise men to be bailiffs for the ensuing year, who shall take care that the customs shall be well paid; and they shall receive their jurisdiction the day after St. Michael's, as has been customary. And this shall be done from year to year, so that the bailiffs shall be renewed every year, and the twelve men aforesaid, if there is occasion. The same shall be done as to clerk and sergeants of the city, in making and removing.

35. The common-chest shall be in the house of the chief alderman or of the steward, and the three keys of it shall be lodged with three discreet men of the aforesaid twelve sworn men, or with three of the skevins, who shall loyally

² [A statute regulating prices.]

take care of the common seal, and the charters, and the treasure of the town; and no letter shall be sealed with the common seal, nor any charter taken out of the common-chest but in the presence of six or twelve sworn men, and of the alderman and steward; and nobody shall sell by any kind of measure or weight that is not sealed under forfeiture of two shillings.

63. No one shall go out to meet a ship bringing wine or other merchandise coming to the town, in order to buy anything, before the ship be arrived and come to anchor for unlading; and if any one does so and is convicted, the merchandise which he shall have bought shall be forfeited to the king.

ARTICLES OF THE GUILD OF LONDON HATTERS

THE POINTS of the Articles touching the trade of Hat-makers, accepted by Thomas Leggy, Mayor, and the Aldermen of the City of London, at the suit, and at the request, of the folks of the said trade:

In the first place, that six men of the most lawful and most befitting of the said trade shall be assigned and sworn to rule and watch the trade, in such manner as other trades of the said city are ruled and watched by their Wardens.

Also, that no one shall make or sell any manner of hats within the franchise of the city aforesaid, if he be not free of the same city; on pain of forfeiting to the Chamber the hats which he shall have made and offered for sale.

Also, that no one shall be made apprentice in the said trade for a less term than seven years, and that, without fraud or collusion. And he who shall receive any apprentice in any other manner, shall lose his freedom, until he shall have bought it back again.

Also, that no one of the said trade shall take any apprentice, if he be not himself a freeman of the said city.

Also, that the Wardens of the said trade shall make their searches for all manner of hats that are for sale within the said franchise, so often as need shall be. And that the aforesaid Wardens shall have power to take all manner of hats that they shall find defective and not befitting, and to bring them before the Mayor and Aldermen of London, that so the defaults which shall be found may be punished by their award.

Also, whereas some workmen in the said trade have made hats that are not befitting, in deceit of the common people, from which great scandal, shame, and loss have often arisen to the good folks of the said trade, they pray that no workman in the said trade shall do any work by night touching the same, but only in clear daylight; that so, the aforesaid Wardens may openly inspect their work. And he who shall do otherwise, and shall be convicted thereof before

the Mayor and Aldermen, shall pay to the Chamber of the Guildhall, the first time forty pence, the second time half a mark, and the third time he shall lose his freedom.

Also, that no one of the said trade shall be admitted to be free of the City, or to work in the said trade, or to sell any manner of hats within the said franchise, if he be not attested by the aforesaid Wardens as being a good and lawful person, and as a proper workman.

Also, that no one of the said trade shall receive the apprentice or serving-man of another, until he has fully completed his term, or his master has given him a proper dismissal; on pain of paying, for every time, to the said Chamber half a mark, down to the fourth time, when he shall lose his freedom, until he shall have bought it back again.

Also, that no one of the said trade shall receive the serving-man of another to work, so long as he is in debt to his master; but he is to remain in the service of his master, until he shall have made satisfaction for the debt which he owes him. And he who shall receive such serving-man otherwise, shall pay to the said Chamber for every time forty pence; but only down to the fourth time, when he shall lose his freedom, until he shall have bought it back again.

Also, whereas foreign folks of divers Counties do bring to the said city divers manners of hats to sell, and carry them about the streets, as well before the houses of freemen of the said trade, as elsewhere; and thereby bar them of their dealings and of their sale, so that the freemen of the said trade in the City are greatly impoverished thereby; it is agreed that no strange person bringing hats to the said city for sale, shall sell them by retail, but only in gross, and that, to the freemen of the City; on pain of losing the same.

THE GRIMSBY PROVISION

KNOW YE that whereas strife had arisen between the rich men of our town of Grimsby and the poor men of the same town on the purchase of merchandise there, and whereas We for the common benefit of the said town had sent thither our beloved and loyal servant, Gilbert of Preston, to hear the said quarrel and amend the wrongs arising therefrom, We have learnt from the said Gilbert that by the common consent of the community of the said town it has been provided and agreed in the presence of the said Gilbert that the underwritten provision shall be held and observed there, to wit:

That no merchant of Grimsby buy herrings, fish or any other wares coming to the said port, or deliver the same, before sunrise nor after sunset, nor

before the ship has touched land and the yard of the ship bearing those wares or some other gangway is placed from the ship to the land on which men may enter that ship.

That all sales be made openly and not in secret and in the port where the ships touch or in the marsh or on the ship and not elsewhere.

No merchant of the said town shall be denied a share in any merchandise, so long as he was present at the purchase.

If any merchant with any merchandise whatsoever enter the port of Grimsby with his ship, and is unwilling to sell his merchandise except to one or more of his friends who have been wont to make loans to him from their own chattels, he or they for whom the said merchant reserved his merchandise shall have only the third part of such merchandise and the neighbouring burgesses who were present at the purchase shall have two parts of such merchandise, provided that they hold land in burgage which they can sell and give; and this shall be the law concerning all ships that enter the port with any merchandise except the ships of fishermen from France and Flanders.

That he or they for whom the said fishermen of France and Flanders reserve their merchandise, shall not sell it except to their neighbours, being fellow burgesses, and this they shall do in common and not specially.

And if they sell that merchandise otherwise, that merchandise shall be taken by the bailiffs and the community of the said town into our hand, and they shall sell it to our profit, and nevertheless the said vendors shall be distrained to pay the said fishers for the merchandise so reserved for them, and shall have for their trouble twelve pence from each last of herrings and twelve pence from every hundred of cod, and no more.

That all tenants in the country shall buy herring, fish and other victuals of this kind without hindrance, provided that they or their servants are present at the unloading of the ship bearing those victuals.

That no one go by ship or boat to meet ships bearing any wares to the said town to fix prices or speak with the merchants of those wares on any sale before those ships touch in the port of the said town or in the port of Freshney, and if they do so the boatmen and all others who were with them shall be placed in the stocks for eight days fully without any deliverance, and if they do this a second time all and singular shall be placed in the stocks and kept there for eight days fully, and each shall pay half a mark to the common good of the said town; and if they do it a third time they shall be put out of the community of the said town for a whole year.

That no man nor the servant of any man of Grimsby shall accost any ships entering the said ports to bargain with the merchants about making any reservation of wares, and if he do so, he shall pay half a mark to the common good

of the said town, and if he have not whence he can pay it, he shall be placed in the stocks for fully seven days without any deliverance.

That no fisherman of the Humber shall sell in houses or boats or in any place except our common market of the said town, and if he does so, he shall pay half a mark to the common good of the said town, or shall sit in the stocks for fully seven days without deliverance.

That no male or female regrater shall buy flesh or fish or any other victuals in the said town before the first hour, under penalty of half a mark to be paid to the common good of the said town. And if any of them have no means whence he can pay the money he shall sit in the stocks for seven days without deliverance and shall lose the victuals so purchased beforehand.

That no baker buy corn in the said town before the first hour, and if he does so, he shall lose the corn so bought, and it shall be given to the community of the said town.

That no one shall make bargains by handclasp for herring or other fish or for corn, except burgesses of the said town, and that handclasp bargains shall hold unless the merchandise, for which the bargains were made, is worse than was agreed, and of this a reasonable valuation shall be made by men worthy of credit.

That on the day agreed between merchants the buyer pay without any delay the money he owes to his creditor, and if he does not, the creditor shall complain to the bailiffs of the said town who shall immediately send for the buyer and if he admits the debt, the bailiffs shall order him to pay it within three tides, if the debt be owed for herring or any other kind of fish; and if the debt be owed for corn or other wares, the debtor shall pay within three days, and if the buyer do not pay within that term, the bailiffs shall pay out of the common purse of the said town, and shall take double the debt from the buyer, and if the buyer have nothing whence to pay the debt, his house shall be taken into our hand and detained until there has been received therefrom double the value of the said debt, and then it shall be restored to him. And if the buyer does not admit the debt, he shall enjoy the law and custom of the said town.

That every baker of the said town have his own seal for marking the bread which he makes.

If any burgess of the said town is distrained for his neighbour comburgess within Lincolnshire, he shall show it to the bailiffs of the said town, who shall forthwith order him for whom he was distrained to deliver the pledges so taken within eight days, under penalty of twenty shillings to be paid to the common good of the said town, and if he was distrained without the shire, the said bailiffs shall order him for whom he was distrained to deliver the

pledges within forty days, under penalty of forty shillings to be paid to the common good of the town, and if he was distrained without the realm of England and has made this known to the said bailiffs, they shall forthwith order him for whom the distraint was made to satisfy the distrained man on his distraint within forty days, or within three days to start his journey to him who took the said distresses so as to deliver the distresses, and this under penalty of sixty shillings to be paid to the common good of the said town.

Now We, holding the said provision to be valid and pleasing in all and singular its articles, as far as we are concerned, at the request of the burgesses of the said town, and by the advice of the nobles who are of our council, do grant and confirm it for us and our heirs, so far as the aforesaid articles are reasonably provided.

THE ORDINANCE OF LABORERS

IN THE SUMMER of 1348 the Black Death, coming from the distant East by way of the Continent, raged in western England. It spread in the winter to London and thence to the eastern coast. Many authorities describe the scourge as a bubonic plague, although others point out the similarity of its symptoms to those of the influenza epidemic of 1918. In England, nevertheless, between one quarter and a third of the population died. Mankind has been visited periodically by other plagues; none has left so lasting an historical impression or has been so costly of life.

The effects of the plague upon economic and social life, though sudden and dramatic, should be estimated in their true historic perspective. Undoubtedly there had already set in a pronounced movement away from labor services toward money rents, from servile holding to renting, and an increase in the number of hired workingmen. On the Continent this movement had been especially evident. It was accelerated by the conditions brought about by the pestilence and by a continuation of the same forces which had been working toward that end for centuries—from the time that new bases of landholding had shown themselves to be more economical, according to particular conditions of time and place.

The plague brought about a scarcity of laborers. Higher wages, in some cases fantastic ones, were asked and had to be given. Prices rose. There had been government regulation of such economic concerns before. Now the king issued the far-reaching Ordinance of Laborers of June, 1349, and Parliament at its next session passed the somewhat more specific Statute of Laborers in February, 1351. Both king and Parliament sought to set some limit to the runaway conditions which were threatening to bring English society to ruin.

A serious attempt was made to enforce the regulations, and the justices of laborers were created to administer them. Many violators were punished, and there can be little doubt that some lowering of the demands of workers was effected. It was, nevertheless, impossible to keep wages and prices at the statutory level. England was left to find economic balance by a continued, if accelerated, transference of villein holdings to rented ones and by the commutation of services to money payments. Although it should be kept in mind that conditions were not the same throughout all England, the landlord was the one who suffered most, economically, during this period. He regained his position only in time and then as the recipient of extensive rents. Many villeins gained from their changed tenure, as many more were to do in the future, and wage earners found many a lord willing to violate the Statute in the face of the possible penalties.

These scattered gains of the common man did not allay his desires, and the latter half of the fourteenth century was a turbulent one in English history. Nevertheless, rapid economic development continued. Government was not of the best, and a political spark set off the highly nonpolitical Peasants Revolt in 1381. Poll taxes had been devised to broaden the tax on property and incomes to include the lower classes. Serious attempts to enforce collections were met with open revolt. The uprising began in southwestern England, and from there the rebels moved toward

London, destroying the documents of their serfdom and murdering particularly objectionable lords. The movement was country-wide, but the peasants, lacking organization, arms, and any clear objective, were not to succeed in their vague undertaking. There were, nevertheless, several tense meetings between King Richard II and the group which had come to London. One of the rebel leaders, Wat Tyler, was killed by the king's men after drawing his dagger in the royal presence. Before the storm broke over him, Richard rode forward and offered himself as the leader of the rebels. After a moment of hesitation the irate peasants were following the king. Their departure from London was speedily effected, and the revolt was shortly put down throughout the country. It had neither hastened nor retarded the working of deeper economic currents. It was, however, one evidence of considerable social unrest.

The Ordinance of Laborers, which follows, has been put into English more nearly approaching present-day usage on the basis of the translation in the *Statutes of the Realm* (1810), Vol. I, and by comparison with the Latin and Old French texts, respectively, in B. H. Putnam, *The Enforcement of the Statutes of Labourers* (New York, Columbia University Press, 1908), Appendix.



AN ORDINANCE CONCERNING LABORERS AND SERVANTS

THE KING TO THE SHERIFF OF KENT. Greeting. Because a great part of the people and especially of workmen and servants late died of the pestilence, many seeing the necessity of lords and the scarcity of servants will not serve unless they receive excessive wages, and others preferring to beg in idleness rather than get their living by labor, we, considering the serious inconvenience which may hereafter arise from the lack especially of ploughmen and such laborers, have held deliberation and consultation on this matter with the prelates and the nobles and other experienced men assisting us, and by their unanimous counsel have ordained:

That every man and woman of our kingdom of England of whatever condition, free or bond, ablebodied, and within the age of sixty years, not living by trade or practicing a certain craft, or having of his own by which he may live, or his own land in the tillage of which he may occupy himself, and not serving another, if, his station considered, he be needed to serve in appropriate service, he shall be bound to serve him who so requires him. And he shall receive only the wages, liveries, hire, or salary, which were accustomed to be given in the places where he ought to serve, in the twentieth year of our reign of England or in the five or six common years immediately preceding, with the provision that the lords be preferred before others in the bondmen

or the tenants holding their land thus to be retained in their service. Nevertheless the said lords in this shall retain no more than are necessary for them. And if any such man or woman, being required to serve, will not do the same and it is proved by two true men before the sheriff, the bailiff, lord, or constable of the town where this happens, he shall immediately be taken by them or one of them and put in the nearest jail there to remain under strict custody until he finds surety to serve in the aforesaid manner.

And if any reaper, mower, or other workman or servant of whatever status or condition, retained in any man's service, leaves the said service without reasonable cause or permission before the term agreed, he shall undergo the penalty of imprisonment. And no one shall presume to receive or to retain any such in his service under the same penalty.

And no man shall pay or promise to pay anyone any more wages, liveries, hire, or salary than the accustomed one as aforementioned. Nor shall anyone in any other manner demand or receive the same under penalty of double that which shall be so paid, promised, demanded, or received to be given to him who thereby shall feel himself injured. And if none such is willing to prosecute then it shall go to any of the people who will prosecute. And such prosecution shall be in the court of the lord of the place where such case happens. And if the lords of the towns or manors shall presume in any way to act contrary to our present ordinance either by themselves or by their servants, then prosecution shall be made in the aforementioned manner against them in the counties, wapentakes, ridings, or in our other courts of this kind under penalty of three times that paid or promised them or their servants. And if by chance any before this present ordinance shall have contracted with anyone for such service at higher wages, by no means shall he be bound by reason of the said contract to pay more than otherwise was accustomed to be paid to such person. On the contrary he shall not presume to pay any more under the aforementioned penalty.

And saddlers, pelterers, whittawyers, cordwainers, tailors, smiths, carpenters, masons, tilers, shipwrights, carters, and all other artisans and laborers shall not take for their labor and workmanship more than what was accustomed to be paid to such persons in the twentieth year and other common years preceding, as aforementioned, in the places where they shall happen to work. And if anyone shall receive more, he shall be committed to the nearest jail in the aforementioned manner.

And butchers, fishmongers, hostlers, brewers, bakers, poulterers, and all other sellers of all sorts of victuals shall be bound to sell the same victuals for a reasonable price having regard for the price that such victuals are sold in nearby places so that such sellers have moderate profit—not excessive ones but those

to be reasonably required by the distance of the places whence the said victuals are carried. And if any sell such victuals in any other manner, and be convicted thereof in the aforementioned manner he shall pay double what he so received to the injured party or in default of him to any other that will prosecute in this matter. And the mayor and the bailiffs of the cities, boroughs, merchant-towns, and others, and of ports and maritime places shall have power to inquire of each and everyone who shall in any way transgress against this and to levy the aforementioned penalty to the use of those by whose suits such transgressors shall have been convicted. And in case the same mayor and bailiffs shall neglect to execute these premises, and be convicted of it before the justices to be appointed by us, then the same mayor and bailiffs shall be compelled by the same justices to pay to the injured party, or to any other prosecuting in his default, three times the value of the thing thus sold. And nevertheless they shall be grievously punished on our part.

And because many sturdy beggars, as long as they can live by begging, refuse to labor and give themselves up to idleness and sin and sometimes to theft and other infamies, no one under the aforementioned penalty of imprisonment shall presume in the guise of piety or alms to give anything to such who are well able to labor or to aid them in their slothfulness, so that by this they may be compelled to labor for the necessities of life.

We order you, firmly enjoining, that you cause each and every of these premises to be publicly proclaimed and to be observed and duly put in execution as aforementioned in the cities, boroughs, merchant-towns, seaports, and other places in your bailiwick where you shall think fit, within liberties as well as without. And by no means omit to do this as you regard us and the common advantage of our realm, and as you wish to keep yourself unharmed.

Witness the King at Westminster, the eighteenth day of June, by the King himself and the whole Council.

Like writs are directed to each of the sheriffs throughout England.

THE KING, TO THE REVEREND FATHER IN CHRIST, W., BY THE SAME GRACE [OF GOD], BISHOP OF WINCHESTER. Greeting. "Because a great part of the people," as before, until "for the necessities of life" and then thus: And therefore we request that you make public these premises in every one of the churches and other places of your diocese where you think fit, directing the rectors, the vicars of such churches, the priests and others under you to exhort and to lead their parishioners by salutary admonitions to labor and to observe the afore-said ordinance as the particular need may require. And that you also restrain the stipendiary chaplains of your diocese aforementioned who, as it is said, in like manner now refuse to serve without an excessive salary. And compel them

to serve for the accustomed salary, as befits them, under pain of suspension and interdict. And by no means omit to do this as you regard us and the common advantage of our realm.

Witness, as before, by the King himself and the whole Council.

Like letters of request are directed to the several bishops of England, and to the guardian of the spiritualities of the Archbishopric of Canterbury during the vacancy of the See, under the same date.

GRANT OF TWO FAIRS AT AIX-LA-CHAPELLE

IN THE MIDDLE AGES markets and fairs were important for the exchange of goods. They stimulated production and provided an effective means of distributing raw materials and finished products. The granting of rights to hold markets and fairs was a valuable source of income to both lords and localities. Soon competition developed to see who could attract more merchants through the granting of better conditions. As distinguished from fairs, markets were principally concerned with the exchange of local produce. Commonly held once a week, they were, of course, a basis for larger trading activity and may well be considered the foundation of the hierarchy of medieval exchange institutions.

Fairs were on a grander scale and were held seasonally and for longer duration. To them came merchants from distant places to engage in larger transactions and to distribute finished products and raw materials which were then further distributed by lesser traders. Because of their more advantageous geographical situation, which enabled them to engage in this international commerce, and because of the privileges granted by higher authorities, certain localities became the sites of famous fairs. Perhaps the best known in western Europe were the fairs of the province of Champagne, an important production center for woollens—and, of course, wine—situated at the most important crossroads in western Europe, roughly halfway between the Mediterranean (reached via the Rhone and Marseille, or via the Alpine passes and the Po Valley) and the Atlantic (reached via the Seine and Paris, or via the Escant and Bruges, or via the Rhine and Cologne).

No fair could be successful without an abundant local supply of money. The coins struck at the Champagne fairs of Provins became world famous; so did the standard weights of the Champagne center of Troyes. The excessive variety of moneys in use was partly compensated by a trend of local coinages to conform with better-known standards. There was a Provins block and a Cologne block (to which Aix-la-Chapelle adhered from the beginning); moreover, the royal coinage of Paris, the imperial coinage of Pavia, and the coins of the prosperous cities of Venice (ducate) and Florence (florins) were widely imitated. On the other hand, operations of change in the fairs led to speculation on the anticipated fluctuations of foreign coins and, through a devious channel, also to the introduction of the bill of exchange.

The Champagne fairs declined in the later thirteenth century, owing to a combination of circumstances including the appearance of Genoese and Venetian ships in the North Sea, which was reached by way of the Gibraltar Strait. Furthermore, with the growth of semipermanent commercial companies, most of the functions of the fairs were provided for by a network of agencies (*faiatorie*) which each company kept in the main centers of international trade.

The following has been taken from R. C. Cave and H. H. Coulson, eds., *A Source Book for Medieval Economic History* (St. Paul, Minn., Bruce Publishing Co., 1936).



GRANT OF TWO FAIRS AT AIX-LA-CHAPELLE,
1166

IN THE NAME of the Holy and Indivisible Trinity, Frederick, by favor of divine clemency, Emperor Augustus of the Romans. Since the royal palace of Aix-la-Chapelle excels all provinces and cities in dignity and honor, both for the praise given there to the body of the most blessed Emperor Charlemagne, which that city alone is known to have, and because it is a royal seat at which the Emperors of the Romans were first crowned, it is fitting and reasonable that we, following the example of the holy lord Charlemagne and of other predecessors of ours, should fortify that same place, which is a pillar of support to the empire, with lavish gifts of liberty and privileges, as if with walls and towers. We have therefore decreed that there should be held twice a year the solemn and universal fairs of Aix-la-Chapelle. And this we have done on the advice of the merchants. Moreover, we have preserved the rights of neighboring cities, so that these fairs may not only not be a hindrance to their fairs but may rather increase their profits. And so, on the advice of our nobles, we have given, out of respect for the most holy lord, the Emperor Charlemagne, this liberty to all merchants—that they may be quit and free of all toll throughout the year at these fairs in this royal place, and may buy and sell goods freely just as they wish. No merchant, nor any other person, may take a merchant to court for the payment of any debt during these fairs, nor take him there for any business that was conducted before the fairs began; but if anything be done amiss during the fairs, let it be made good according to justice during the fairs. Moreover, the first fair shall begin on Quadragesima Sunday, which is six weeks before Easter, and it shall last for fifteen days. The second fair shall begin eight days before the feast of St. Michael and shall continue for eight days after that feast. And all people coming to, staying at, or going from the fairs shall have peace for their persons and goods. And lest the frequent changing of coins, which are sometimes light and sometimes heavy, should redound to the hurt of so glorious a place at any time in the future, on the advice of our court, we have ordered money to be struck there of the same purity, weight, and form, and in the same quantity, and to be kept to the same standard. Twenty-four solidi shall be struck from a mark, always having the value of twelve solidi of Cologne, so that twelve Cologne solidi may always be made from twenty-four of these solidi, just as twenty-four solidi may always be struck from twelve solidi of Cologne. The form of the coins will be such that

on one side will be the image of St. Charles the Great and his superscription, and on the obverse our own image with the superscription of our own name. And a certain abuse has prevailed for a long time in the courts of Aix-la-Chapelle so that if he, who was impleaded for calumny or for any other thing, could not offer satisfaction by compensation for his offense, except he flee from the country at once, he incurred the full penalty of composition; therefore, we, condemning this bad law forever, have decreed that any one may offer in this our royal town of Aix-la-Chapelle, for any cause for which he has been impleaded, compensation by whatever small thing he is able to take off with his hands while standing upright, without bending his body, such thing as a cloak, tunic, hat, shirt, or other garment. And because the taking and exchanging of money, other than the money of Aix-la-Chapelle, has been condemned by an unjust law, we have decreed to the contrary, that all money shall be current in our city according to its quality, and it shall be accepted by everyone according to what it has been declared to be worth. Moreover, we grant and confirm to the merchants of that city that they may have a mint and a house for exchanging their silver and money whenever they decide to go away on business. Whoever out of boldness decides to oppose our decree, or by temerity to break it, shall be in our mercy and will pay a hundred pounds of gold to our court. And in order that all the things we have decreed may be accepted as genuine and be faithfully observed we have ordered this charter to be written and to be sealed by the impression of our seal.

THE KING'S MIRROR

THE ELEMENTS of a flourishing commercial and manufacturing economy, in the literal sense of the word manufacturing, were generally present in favored parts of western Europe by the eleventh century. Throughout much of the remaining period designated "medieval" a great filling out of western Europe was taking place, a process comparable in some respects to the development of our own country. At the same time there was a growing strength for expansion as the Crusades and the colonization in eastern Europe and, if a digression may be excused, the universities give witness. From the very beginning land was being reclaimed from the forests, stockades were appearing on the frontiers, pilgrims and merchants were moving afar, and the amenities of life were sought after within the limitations of place and time. Certainly agriculture was of the greatest importance, as it was to continue to be well on through the eighteenth century, while trade and manufacturing and all that goes with an exchange economy, as distinct from one essentially self-sufficing, played a minor role in many places in the early period. Never wholly absent, however, in the eleventh and succeeding centuries, the latter gain in importance and contribute to the changes which took place gradually in economic, political, and social institutions and to the extension of fundamental principles of conduct to provide for those new conditions.

The attitude of the foremost men of the Middle Ages toward life in general and, here, commerce in particular, was that the individual's every action should be guided by his concern for his immortal soul and by the good of his fellow men. Both factors demonstrate and explain the social consciousness of that period, which was firmly founded in religion and, further, allowed sufficiently for the present to encourage the development of institutions which could check unlicensed individualism in such cases where ever-weak humans thought less of salvation and of the community than of their own inordinate greed.

The *King's Mirror* was written between 1240 and 1247 by a learned Norseman whose anonymity has been preserved. The translation from the old Norse has been taken from L. M. Larson's edition, published by The American-Scandinavian Foundation (New York, 1917).



THE KING'S MIRROR

"THE FEAR OF THE LORD IS THE BEGINNING OF WISDOM"

Son: Good day, sire! I have come to see you as it behooves a humble and obedient son to approach a loving and renowned father; and I pray you to

listen with patience to the questions that I have in mind to ask and kindly to vouchsafe an answer to each one.

Father. Inasmuch as you are my only son, I am pleased to have you come often to see me, for there are many subjects which we ought to discuss. I shall be glad to hear what you wish to inquire about and to answer such questions as are discreetly asked.

Son. I have heard the common report (which I believe is true) as to your wisdom, that in all the land it would be difficult to find a man who has greater insight into every form of knowledge than you have; for all those who have difficult matters to settle are eager to get your decision. I have also been told that the same was true when you were at the royal court, and that the entire government, lawmaking, treaty making, and every other sort of business, seemed to be guided by your opinion. Now as I am the lawful heir to your worldly possessions, I should also like to share somewhat in the heritage of your wisdom. Wherefore I wish to have you point out to me the beginnings and the alphabet of wisdom, as far as I am able to learn them from you, so that I may later be able to read all your learned writings, and thus follow in your footsteps. For I am sure that after your decease many will rely on your having trained me after your own ways.

Father. It pleases me to hear you speak in this wise, and I shall be glad to answer; for it is a great comfort to me that I shall leave much wealth for my own true son to enjoy after my days; but I should scarcely regard him as a son, though I had begotten him, if he were a fool. Now if you seek understanding, I will show you the basis and the beginning of all wisdom, as a great and wise man once expressed it: to fear Almighty God, this is the beginning of wisdom. But He is not to be feared as an enemy, but rather with the fear of love, as the Son of God taught the man who asked him what the substance of the law was. For the Son of God referred him to the Scripture that reads as follows: Thou shalt love God with all thy heart and with all thy strength and with all thy might. Now one should love God above everything else and fear Him at all times when evil desires arise; he should banish evil longings for God's sake, though he were bold enough to cherish them for men's sake. Now if you wish to know what are the beginnings and the first steps in the pursuit of wisdom, this is the true beginning, and there is none other. And whoever learns this and observes it shall not be wanting in true knowledge or in any form of goodness.

Son. This is indeed loving counsel, such as one might expect from you; besides, it is good and easily learned by every one whom fortune follows. Still, if one is to be reputed a wise man, it will surely be necessary to take up many things that pertain to the various crafts.

Father. This is the beginning and the alphabet of every good thing. But through the alphabet one learns to read books, and in the same way, it is always better the more crafts are added to this art. For through the crafts a man gains wisdom whatever the calling that he intends to follow, whether that of kingsman, yeoman, or merchant.

THE ACTIVITIES AND HABITS OF A MERCHANT

Son. I am now in my most vigorous years and have a desire to travel abroad; for I would not venture to seek employment at court before I had observed the customs of other men. Such is my intention at present, unless you should give me other advice.

Father. Although I have been a kingsman rather than a merchant, I have no fault to find with that calling, for often the best of men are chosen for it. But much depends on whether the man is more like those who are true merchants, or those who take the merchant's name but are mere frauds and foisters, buying and selling wrongfully.

Son. It would be more seemly for me to be like the rightful ones; for it would be worse than one might think likely, if your son were to imitate those who are not as they ought. But whatever my fate is to be, I desire to have you inform me as to the practices of such men as seem to be capable in that business.

Father. The man who is to be a trader will have to brave many perils, sometimes at sea and sometimes in heathen lands, but nearly always among alien peoples; and it must be his constant purpose to act discreetly wherever he happens to be. On the sea he must be alert and fearless.

When you are in a market town, or wherever you are, be polite and agreeable; then you will secure the friendship of all good men. Make it a habit to rise early in the morning, and go first and immediately to church wherever it seems most convenient to hear the canonical hours, and hear all the hours and mass from matins on. Join in the worship, repeating such psalms and prayers as you have learned. When the services are over, go out to look after your business affairs. If you are unacquainted with the traffic of the town, observe carefully how those who are reputed the best and most prominent merchants conduct their business. You must also be careful to examine the wares that you buy before the purchase is finally made to make sure that they are sound and flawless. And whenever you make a purchase, call in a few trusty men to serve as witnesses as to how the bargain was made.

You should keep occupied with your business till breakfast or, if necessity demands it, till midday; after that you should eat your meal. Keep your table well provided and set with a white cloth, clean victuals, and good drinks. Serve

enjoyable meals, if you can afford it. After the meal you may either take a nap or stroll about a little while for pastime and to see what other good merchants are employed with, or whether any new wares have come to the borough which you ought to buy. On returning to your lodgings examine your wares, lest they suffer damage after coming into your hands. If they are found to be injured and you are about to dispose of them, do not conceal the flaws from the purchaser: show him what the defects are and make such a bargain as you can; then you cannot be called a deceiver. Also put a good price on your wares, though not too high, and yet very near what you see can be obtained; then you cannot be called a foister.

Finally, remember this, that whenever you have an hour to spare you should give thought to your studies, especially to the law books; for it is clear that those who gain knowledge from books have keener wits than others, since those who are the most learned have the best proofs for their knowledge. Make a study of all the laws, but while you remain a merchant there is no law that you will need to know more thoroughly than the Bjarkey code. If you are acquainted with the law, you will not be annoyed by quibbles when you have suits to bring against men of your own class, but will be able to plead according to law in every case.

But although I have most to say about laws, I regard no man perfect in knowledge unless he has thoroughly learned and mastered the customs of the place where he is sojourning. And if you wish to become perfect in knowledge, you must learn all the languages, first of all Latin and French, for these idioms are most widely used; and yet, do not neglect your native tongue or speech.

Son. May God reward you, sire, for the love of kinship that you show in pointing out so many things that I may find needful,—if I have the good fortune to learn them and to remember them after they are learned. And if you think there are any other important matters that ought to be taken up in this discussion, I shall be glad to listen attentively.

Father. There are, indeed, certain matters which should not be omitted from this discourse, but they can be stated in a few words, if that seems best. Train yourself to be as active as possible, though not so as to injure your health. Strive never to be downcast, for a downcast mind is always morbid; try rather to be friendly and genial at all times, of an even temper and never moody. Be upright and teach the right to every man who wishes to learn from you; and always associate with the best men. Guard your tongue carefully; this is good counsel, for your tongue may honor you, but it may also condemn you. Though you be angry speak few words and never in passion; for unless one is careful, he may utter words in wrath that he would later give gold to have unspoken. On the whole, I know of no revenge, though many employ it, that

profits a man less than to bandy heated words with another, even though he has a quarrel to settle with him. You shall know of a truth that no virtue is higher or stronger than the power to keep one's tongue from foul or profane speech, tattling, or slanderous talk in any form. If children be given to you, let them not grow up without learning a trade; for we may expect a man to keep closer to knowledge and business when he comes of age, if he is trained in youth while under control.

And further, there are certain things which you must beware of and shun like the devil himself: these are drinking, chess, harlots, quarreling, and throwing dice for stakes. For upon such foundations the greatest calamities are built; and unless they strive to avoid these things, few only are able to live long without blame or sin.

Observe carefully how the sky is lighted, the course of the heavenly bodies, the grouping of the hours, and the points of the horizon. Learn also how to mark the movements of the ocean and to discern how its turmoil ebbs and swells; for that is knowledge which all must possess who wish to trade abroad. Learn arithmetic thoroughly, for merchants have great need of that.

If you come to a place where the king or some other chief who is in authority has his officials, seek to win their friendship; and if they demand any necessary fees on the ruler's behalf, be prompt to render all such payments, lest by holding too tightly to little things you lose the greater. Also beware lest the king's belongings find their way into your purse; for you cannot know but that he may be covetous who has those things in charge, and it is easier to be cautious beforehand than to crave pardon afterwards. If you can dispose of your wares at suitable prices, do not hold them long; for it is the wont of merchants to buy constantly and to sell rapidly.

If you are preparing to carry on trade beyond the seas and you sail your own ship, have it thoroughly coated with tar in the autumn and, if possible, keep it tarred all winter. But if the ship is placed on timbers too late to be coated in the fall, tar it when spring opens and let it dry thoroughly afterwards. Always buy shares in good vessels or in none at all. Keep your ship attractive, for then capable men will join you and it will be well manned. Be sure to have your ship ready when summer begins and do your traveling while the season is best. Keep reliable tackle on shipboard at all times, and never remain out at sea in late autumn, if you can avoid it. If you attend carefully to all these things, with God's mercy you may hope for success. This, too, you must keep constantly in mind, if you wish to be counted a wise man, that you ought never to let a day pass without learning something that will profit you. Be not like those who think it beneath their dignity to hear or learn from others such things even as might avail them much if they knew them. For a man

must regard it as great an honor to learn as to teach, if he wishes to be considered thoroughly informed.

There remain a few minor matters that ought to be mentioned. Whenever you travel at sea, keep on board two or three hundred ells of wadmal of a sort suitable for mending sails, if that should be necessary, a large number of needles, and a supply of thread and cord. It may seem trivial to mention these things, but it is often necessary to have them on hand. You will always need to carry a supply of nails, both spikes and rivets, of such sizes as your ship demands; also good boat hooks and broadaxes, gouges and augers, and all such other tools as ship carpenters make use of. All these things that I have now named you must remember to carry with you on shipboard, whenever you sail on a trading voyage and the ship is your own. When you come to a market town where you expect to tarry, seek lodgings from the innkeeper who is reputed the most discreet and the most popular among both kingsmen and boroughmen. Always buy good clothes and eat good fare if your means permit; and never keep unruly or quarrelsome men as attendants or messmates. Keep your temper calm though not to the point of suffering abuse or bringing upon yourself the reproach of cowardice. Though necessity may force you into strife, be not in a hurry to take revenge; first make sure that your effort will succeed and strike where it ought. Never display a heated temper when you see that you are likely to fail, but be sure to maintain your honor at some later time, unless your opponent should offer a satisfactory atonement.

If your wealth takes on rapid growth, divide it and invest it in a partnership trade in fields where you do not yourself travel; but be cautious in selecting partners. Watch with care over the property which the saints are to share with you and always bring it faithfully to the place to which it was originally promised.

If you have much capital invested in trade, divide it into three parts: put one-third into partnerships with men who are permanently located in market boroughs, are trustworthy, and are experienced in business. Place the other two parts in various business ventures; for if your capital is invested in different places, it is not likely that you will suffer losses in all your wealth at one time: more likely it will be secure in some localities, though frequent losses be suffered. But if you find that the profits of trade bring a decided increase to your funds, draw out the two-thirds and invest them in good farm land, for such property is generally thought the most secure, whether the enjoyment of it falls to one's self or to one's kinsmen. With the remaining third you may do as seems best,—continue to keep it in business or place it all in land. However, though you decide to keep your funds invested in trade, discontinue your own journeys at sea or as a trader in foreign fields, as soon as your means

have attained sufficient growth and you have studied foreign customs as much as you like. Keep all that you see in careful memory, the evil with the good; remember evil practices as a warning, and the good customs as useful to yourself and to others who may wish to learn from you.

ROBERT OF CLARI

LESS EDIFYING PICTURE of commerce in the medieval period than that furnished by the *King's Mirror* appears in the conventionally numbered "Fourth" Crusade. The Italian city-states, whose continuous commercial activity from ancient times has often been asserted and much disputed among scholars, were in a favorable position to maintain a thriving sea-borne trade. This was more marked after the Mohammedans had been driven into Africa from the Continent (with the exception of Spain) and from many strategic western islands, and when the Crusades carried the war into the eastern littoral of the Mediterranean. The paramount interest of commerce did not, however, foster any great spirit of cooperation among the city-states against the Mohammedan enemy. When it served their mercantile purposes they might ally to fight the Mohammedans if fighting was necessary; otherwise they drove their bargains and let crusading idealism bob along in the wake. No more than many of the kings and the feudal nobility could they, for other reasons, set aside their own bitter rivalries, even when they actually undertook crusading ventures. From the complexity of the human motives and the religious, political, and economic causes behind them the Crusades gain much of their lasting interest. Here only the more narrowly economic interests of the city-states, and more particularly those of Venice, will be treated.

Venice, which cannot boast an antiquity earlier than the fifth century, when refugees fled to her lagoons and islands before the barbarian invaders, was favored by early and continuous connections with Constantinople, in fact was nominally a part of the Eastern empire. Until the Crusades, Venice was the great middle-man between the East and the West, just as Constantinople was the entrepôt for wares from the Orient. There were, to be sure, other cities, and among them Pisa and Genoa became important, especially in the western Mediterranean, by driving the Mohammedans from Corsica and Sardinia and, in the case of Pisa, by striking out to share in the trade with the Eastern empire. When the Normans conquered southern Italy and Sicily, the assistance given by Genoa and Pisa was rewarded. More importantly, however, the Mohammedans had lost the key to the straits between the eastern and the western Mediterranean. Norman designs to control this trade and to bottle up the Adriatic as well, and even to conquer as far east as Constantinople, were thwarted by Venice, who thus preserved her commercial interests as well as the position of the Eastern empire. From the emperor, Venice secured almost a monopoly of western trade with Constantinople.

When the Crusades opened to the Italian cities larger opportunities in Asia Minor, Syria, and Palestine, rivalry mounted in the same proportion. Venice with her considerable fleet, which could be used for offense as well as for peaceful pursuits, got her good share of territory and trading privileges in the new ports. This situation was not to last, for the Holy Land, except for a few remnants, was lost to Saladin between 1187 and 1190. Venice now turned her thoughts toward an actual conquest of the Eastern empire, an undertaking which with the assistance

of the Crusaders was shortly successful. In the past, Constantinople had suffered from the importance of the new ports on the eastern shore of the Mediterranean with their direct connection to the ancient trade routes to the Far East and, of course, she had been roundly exploited by the insatiable Venetians and to a less extent by other cities which gained concessions. Her emperors were not at this time the most competent, and a top-heavy bureaucracy contributed to the atmosphere of dissolution.

When Pope Innocent III planned a new Crusade he thought in terms of the conquest of a territory which might serve strategically as a sound base for striking at the Mohammedans in the Holy Land. How this intention was perverted by the Venetians to the conquest of Zara—a Christian city but nonetheless a rival to Venice's supremacy in the Adriatic—is told in the following selection taken from E. N. McNeal's translation from the Old French of Robert of Clari's *Conquest of Constantinople*, in the "Records of Civilization" (New York, Columbia University Press, 1936), No. 23. Thereafter the crusade was turned against Constantinople, where a revolution had worked against the Venetian interests in favor of the Pisans. Constantinople fell on April 13, 1204, and in the apportioning of the spoils Venice received three-eighths of the city and the church of Santa Sophia. She further made her seapower secure in the Aegean by the acquisition of the more important ports and islands and had a monopoly of the important Black Sea trade through her control of the Bosphorous. The Genoese were now her bitter rivals, and it was they who helped Michael Palaeologus regain Constantinople in 1261. The Venetians, in turn, were excluded and turned to other fields, such as Egypt, where they made more extensive treaties with the Sultan than they had previously enjoyed. Against Genoa, however, Venice could not prevail in Constantinople and the Black Sea.

The increasing political importance of the Ottoman Turks in the fourteenth century led at times to cooperation between the two rivals but never for long. In 1381 Genoa carried the war against the city of Venice itself and succeeded only in wearing herself out by the prodigious effort. Torn by civil strife at home, Genoa was easily occupied by the French in 1396. When in 1453 the Turks took Constantinople, lamentations resounded throughout western Europe, comparable only to those which followed the taking of Rome by the Visigoths in 410.

All along, however, the Italian cities had been adjusting themselves to the realities of the situation. They bent to the storm as the winds blew hot or cold on their commercial interests, and after 1453, as before, they were often successful in dealing with the Turks, largely because of the indifference of the Ottomans toward a systematic commercial exploitation of their possessions. Of course the Italian city-states suffered from the dislocations of Turkish conquest, but when disaster overtook them in their lucrative trade with the East it came from another quarter. The great discoveries for which the groundwork was being laid in the early decades of the fifteenth century shifted the commercial importance for Asiatic trade to the western seaboard. The rounding of Africa by the Portuguese, in opening up the all-water route to the East, placed the Italian cities in much the same disadvantageous position as the earlier control of Syrian and Palestinian ports by the Italian city-states had placed Constantinople. And in trade with northern Europe, by which the cities had hoped to recoup their losses, the Italians were in the course of the later fifteenth century seriously rivaled by the South German cities. The

single important factor in their decline, however, was that geographical advantage in a world become too small for everyone had shifted from the Mediterranean to the Atlantic.



THE CONQUEST OF CONSTANTINOPLE

PREPARATIONS FOR THE CRUSADE

AFTERWARDS, when the marquis had taken the cross, he said to the barons: "Lords," said the marquis, "where will you want to pass oversea, and to what land of the Saracens will you want to go?" The barons answered that they did not want to go to the land of Syria, for they would not be able to accomplish anything there, but they had thought of going to Babylon [Cairo] or to Alexandria, there in the very midst of things, where they would be able to do most, and had planned to hire a fleet which could transport them there all together. Then the marquis said that this was a good plan and he was right well agreed to it, and that they should send good messengers from among their best knights to Pisa or Genoa or Venice. To this plan the barons all agreed.

Then they chose their messengers, and they all agreed that Conon of Béthune should go and the marshal of Champagne. Then when they had chosen their messengers, the barons parted from one another, and the marquis went away to his own country and each of the others likewise. They commanded the messengers to hire vessels to transport four thousand knights and their harness and one hundred thousand men on foot. The messengers got ready their gear and went straight on until they came to Genoa, and they spoke to the Genoese and told them what they were seeking, and the Genoese said they could not help them in it at all. Then they went to Pisa and spoke to them of Pisa, and they answered them that they did not have so many vessels and could not do anything for them. Then they went on to Venice and spoke to the doge of Venice and told him what they were seeking: that they wanted to hire passage for four thousand knights and their harness and for one hundred thousand men on foot. When the doge heard of this, he said he would think on it, for so great an affair ought to be well considered. Then the doge summoned all the high councilors of the city and spoke to them and showed them what had been asked of him. And when they had counseled together the doge answered the messengers and said to them: "Lords, we are willing to make a bargain with you. We will find you a navy large enough for your needs for one hundred thousand marks, if you agree, on the understanding that I shall go along with half of those who are able to bear arms from all of Venice and that we shall have half of all the gains that are made there. And we will add fifty galleys

at our own cost. And within a year from the day we shall name we will set you in whatever land you wish, whether at Babylon or at Alexandria." When the messengers heard this, they replied that a hundred thousand marks would be too much, and they talked together until they made a bargain for eighty and seven thousand marks, and the doge and the Venetians and the messengers swore to keep this bargain. Then the doge said that he wanted to have twenty-five thousand marks as advance payment, in order to begin building the navy. The messengers replied that he should send messengers back with them to France, and they would gladly see to it that the twenty-five thousand marks were paid to them. Then the messengers took leave and went on back, and the doge sent a high man of Venice along with them to receive the advance payment.

Then the doge had his ban cried through all Venice, that no Venetian should be so bold as to engage in any business, but rather they should all help to build the navy, and they did so. So they began to build the richest navy that ever was seen.

When the messengers came to France, they made it known that they were come. Then word was sent to all the barons who had taken the cross that they were to come straightway to Corbie. When they were all come together, the messengers told what they had done. When the barons heard it, they were greatly pleased and they approved right well what they had done. And they did great honor to the messengers of the doge of Venice, and they gave them some of the money left by the count of Champagne and some of the money which Master Fulk had collected, and the count of Flanders put in some of his money, until there were twenty-five thousand marks. So they gave this money to the messenger of the doge of Venice and they gave him safe-conduct to go with it to his own country.

Then word was sent to all the crusaders through all the lands, that they should all set out at Easter to go to Venice, so as to be there between Pentecost and August, without fail, and they did so. So when Easter was past they all came together. Many there were of fathers and mothers, sisters and brothers, wives and children, who made great lamenting over their loved ones.

THE CRUSADERS IN VENICE

When the pilgrims were all assembled at Venice and saw the rich navy that had been made, the rich ships, the great freighters, the transports to carry the horses, and the galleys, they marveled at it greatly and at the great riches which they found in the city. When they saw that they could not all find quarters in the city, they decided among them to go and quarter themselves on the Isle of St. Nicholas, which was entirely surrounded by sea and was a league away

from Venice. So the pilgrims went there and set up their tents and quartered themselves the best they could.

When the doge of Venice saw that all the pilgrims were come, he sent for all those of his land of Venice. And when they were all come, the doge commanded that half of them should equip themselves and make ready to go along in the fleet with the pilgrims. When the Venetians heard this, some of them were glad, but others said they could not go; and they were not able to decide how the half of them should be chosen to go. Finally they made a drawing of lots in this way: balls of wax were made in pairs and in one of the two they put a slip of paper. Then they came to the priest and gave them to him and he made the sign of the cross over them and gave one of the two balls to each of two Venetians and the one who had the ball with the writing in it had to go with the fleet. So they were divided. Now when the pilgrims had taken quarters on the Isle of St. Nicholas, the doge of Venice and the Venetians went to talk with them, and they demanded their pay for the navy which they had prepared. And the doge said to them that they had done ill in this, that they had sent word by their messengers to have a navy prepared for four thousand knights and their harness and for one hundred thousand men on foot, and of these four thousand knights there were not more than a thousand, because some had gone to other ports, and of these hundred thousand men on foot there were not more than fifty thousand or sixty. "So," said the doge, "we want you to pay us the covenanted price that was agreed on between us." When the crusaders heard this, they talked together and agreed among them that each knight should give four marks and each horse four and each mounted sergeant two, and that he who gave less should give at least one mark. When they had gathered this money, they gave it to the Venetians and there still remained fifty thousand marks to pay. When the doge and the Venetians saw that the pilgrims had not paid them more than this, they were all very angry. Finally the doge said to them: "Lords," said he, "you have used us ill, for as soon as your messengers had made the bargain with me I commanded through all my land that no trader should go a-trading, but that all should help prepare this navy. So they have waited ever since and have not made any money for a year and a half past. Instead, they have lost a great deal, and therefore we wish, my men and I, that you should pay us the money you owe us. And if you do not do so, then know that you shall not depart from this island before we are paid, nor shall you find anyone to bring you anything to eat or to drink." The doge was a right worthy man, and so he did not cease from having brought to them enough to eat and to drink.

When the counts and the crusaders heard what the doge said, they were sorely grieved and greatly dismayed. Then they made another collection and

borrowed as much money as they could from those who they thought had any, and they paid this to the Venetians, and when they had paid it, there still remained thirty-six thousand marks to pay. And they told them that they were in an evil plight and that the host was impoverished by this collection which they had made and that they could not raise any more money to pay them, but rather had scarcely enough for the host to live on. When the doge saw that they could not pay all the money, but were indeed in very hard straits because of it, he spoke to his own people and said: "Lords," said he, "if we let these men go back to their own land, we shall always be held for rogues and cheats. Rather let us go to them and tell them that if they will pay us the thirty-six thousand marks they owe us, out of the first gains which they shall make for themselves, we will put them overseas." The Venetians agreed willingly to what the doge said. So they went to the pilgrims where they were quartered, and when they were come there the doge said to them: "Lords," said he, "we have taken counsel, I and my people, to this effect, that if you are willing to promise faithfully to pay us the thirty-six thousand marks you owe us, out of the first gains that you shall make for yourselves, we will put you oversea." When the crusaders heard what the doge said and proposed, they were right glad, and they fell at his feet for joy and promised faithfully that they would do what the doge had devised. And there was such rejoicing that night that there was no one so poor as not to make a great illumination, and they carried great torches on the end of their lances around their lodges and inside of them, so that it seemed as if the whole camp were on fire.

Afterwards the doge came to them and said: "Lords, it is now winter and we cannot cross oversea. The fault cannot be laid on me, for I would have had you make the crossing long ago if it had not been for you. But let us make the best of it," said the doge. "There is a city near here, Zara is its name. They of the city have done us much harm, and I and my men want to be avenged on them if we can. If you will trust me, we will go there and stay there this winter until toward Easter, and then we will make ready our fleet and go oversea to the service of God. For Zara is a very fine city and plenteous in all good things." The barons and the high men of the crusaders agreed to what the doge had said, but the host as a whole did not know anything of this plan, save only the highest men. Then they all got ready their gear and their navy and put to sea. And each of the high men had his own ship for himself and his people and his transport to carry his horses, and the doge had with him fifty galleys all at his own cost. The galley he was in was all vermilion and it had a canopy of vermilion samite spread over him, and there were four silver trumpets trumpeting before him and drums making a great noise. And all the high men, and the clerks and laymen, and great and small, displayed so

much joy at the departure that never yet was there such rejoicing, nor was ever such a fleet seen or heard of. And the pilgrims had all the priests and clerks mount on the high poops of the ships to chant the *Veni creator spiritus*.¹ And everyone, great and small, wept with emotion and for the great joy they had. When the fleet set out from the harbor of Venice . . . [A half-line blank in the manuscript] . . . freighters and these rich ships and so many other vessels, that it was the finest thing to see that has ever been since the beginning of the world. For there were fully a hundred pairs of trumpets, of silver and of brass, all sounding at the departure, and so many drums and tabors and other instruments that it was a fair marvel. When they were on that sea and had spread their sails and had their banners set high on the poops of the ships and their ensigns, it seemed indeed as if the sea were all a-tremble and all on fire with the ships they were sailing and the great joy they were making. Then they went on until they came to a city, Pola was its name. There they made land and refreshed themselves and stayed there a little, until they were well restored and had bought new provisions to put in their ships. Afterwards they put to sea again. And if they had made much joy and festivity before, now they made as much or even more, so that the people of the city were amazed at the great joy and at the mighty fleet and at the noble display they made. And they said, and it was true, that never had so fair a fleet or so rich been seen or assembled in any land as there was there.

THE CRUSADING HOST AT ZARA

The Venetians and the pilgrims sailed until they came to Zara on the eve of the feast of St. Martin. Now they of the city of Zara were sore afraid when they saw these ships and this mighty fleet approaching, so they had the gates of the city closed and took arms to defend themselves as best they could. When they were armed, the doge spoke to all the high men of the host and said to them: "Lords, this city has done much harm to me and to my people, and I would gladly avenge myself on it. So I pray you to help me." And the barons and the high men answered that they would gladly help him. Now the people of Zara knew right well that the Venetians hated them, so they had secured a letter from Rome, saying that anyone who should make war on them or do them any harm would be excommunicated. And they sent this letter by good messengers to the doge and the pilgrims who had landed there. When the messengers came to the camp, the letter was read before the doge and the pilgrims, and when the letter was read and the doge had heard it, he said that he would not give over having his revenge on those of the city, not even for the excommunication of the apostolic. At that the messengers went away.

¹ ["Come, Creator Spirit." This was a favorite hymn in the Roman Breviary.]

Then the doge spoke again to the barons and said: "Lords, know you well that I will not in any degree give over being avenged on them, no, not even for the apostolic." And he prayed the barons to help him. The barons all answered that they would gladly help him, save only Count Simon of Montfort and my lord Enguerrand of Boves. These said that they would not go against the commandments of the apostolic, nor did they want to be excommunicated. So they made themselves ready and went to Hungary to stay there all the winter. When the doge saw that the barons would help him, he had his engines set up to assault the city, until they of the city saw that they could not long hold out. So they threw themselves on their mercy and surrendered the city to them. Then the pilgrims and the Venetians entered in, and the city was divided into two halves so that the pilgrims had one half and the Venetians the other. . . .

In the meantime, while the crusaders and the Venetians were staying there that winter, the crusaders bethought them that they had spent a great deal. And they talked with one another and said that they could not go to Babylon or to Alexandria or to Syria, because they had neither provisions nor money for going there. For they had spent nearly everything, on the long delay they had made as well as on the great price they had given for the hire of the fleet. So they said they could not go, and if they went they would not be able to do anything, because they had neither money nor provisions to maintain themselves.

The doge of Venice saw right well that the pilgrims were in sore straits, and he spoke to them and said: "Lords, in Greece there is a land that is very rich and plenteous in all good things. If we could have a reasonable excuse for going there and taking provisions and other things in the land until we were well restored, it would seem to me a good plan. Then we should be well able to go oversea." Then the marquis rose and said "Lords, last year at Christmas I was in Germany at the court of my lord the emperor. There I saw a youth who was brother to the wife of the emperor of Germany. This youth was the son of the emperor Isaac of Constantinople, whose brother had taken the empire of Constantinople from him by treason. Whoever could get hold of this youth," said the marquis, "would be well able to go to Constantinople and get provisions and other things, for this youth is the rightful heir."

[The main account continues with the Crusaders sending for Alexius and their going to Constantinople, and the taking of the city.]

INNOCENT III

THE PREOCCUPATION of the Italian cities with commerce even at the expense of the successful carrying on of the Crusades did not escape the intelligent contemporary observer. Treatises written as programs for the recovery of the Holy Land refer to the necessity of cutting off trade relations with the enemy if much is to be accomplished. And the popes, who constituted the unifying principle of western Europe by their position as the spiritual heads of Christendom and who, often enough, gave temporal direction by proclaiming Crusades, issued prohibitions and employed excommunication and the interdict where the objectives of the Crusade were being lost sight of.

In the selection which follows, Pope Innocent III renews the decree of the Third Lateran council of 1179, which excommunicated Christians who furnish weapons, iron, and timber, or serve on Saracen ships warring on Christians. Christians who take their fellow navigators prisoner or rob them or plunder ship-wrecked Christians instead of lending aid were also excommunicated by the same decree. Innocent III then refers to his own decree of excommunication of Christians who have anything to do with the Saracens and then modifies this in favor of the Venetians. The selection has been translated from the Register of Innocent III for the year 1198 and in accordance with the Latin text to be found in J. P. Migne, *Patrologia Latina*, 214 (1855).



ON VENETIAN TRADE WITH THE MOHAMMEDANS

TO THE DOGE AND THE PEOPLE OF VENICE

IN BEHALF of the eastern province, besides the forgiveness of sins which we promise those setting out thither at their own expense, and besides the favor of apostolic protection which we bestow on those aiding that land, we have renewed that decree of the Lateran Council which ordered cut off from the communion of the Church those Christians who presume to furnish the Saracens with weapons, iron, or timbers for their galleys, and to serve as helmsmen or navigators on their galleys and other piratical craft, and which ordered their property to be confiscated by all secular princes and consuls of cities, and that, if any were taken prisoner they should be the slaves of their captors. According to the example of Pope Gregory, our predecessor of happy memory, we have placed under sentence of excommunication all those who in the future shall have relations with the Saracens either directly or indirectly, or shall

attempt to supply or transport by ships anything by way of assistance, as long as the war between us and them shall last.

Nevertheless, our beloved sons, the noble men Andrew Donatus and Benedict Grilion, your envoys, recently approaching the Holy See caused to be explained to us that your city was suffering great loss by our decree because Venice does not engage in agriculture but rather in shipping and commerce. We, therefore, moved by the paternal affection in which we especially hold you, forbid you to presume under pain of anathema to aid the Saracens by selling, giving, or exchanging with them iron, oakum, pitch, sharp instruments, rope, weapons, galleys, ships, and timbers, hewn or in the rough. For the present and until we give you other instructions on this matter by command, we permit those of you going into the realm of Egypt or Cairo to transport other goods when it shall be necessary. We do this in the hope that for this favor you should be more strongly inspired to go to the aid of the province of Jerusalem. And you should see to it that you undertake nothing against our apostolic commandment. For there can be no doubt that he who attempts anything fraudulently in evasion of this mandate against his own conscience is bound by divine condemnation.

GENOESE SHIPPING

THE FORTUNES of Genoa as a trade center began much later than those of Venice. The latter in the ninth and tenth centuries was already the main channel for the thinned-out trade of the Byzantine and Moslem countries with central and western Europe. Genoa shared the economic decline of the Continent until an Arab raid, in which the city was plundered and many prisoners were carried away, forced the population to plan a counteroffensive. Under the leadership of their bishop and, above all, of the land-owning families, the Genoese gradually cleared the Moslem invaders from the main islands of the western Mediterranean and carried out successful expeditions in northwest Africa and in Arab Spain. These wars opened the sea for navigation and showed to the Genoese themselves and their maritime allies (especially the Pisans) the opportunity of trading with the Arabs. The loot gained in the first incursions supplied the initial capital to build up the maritime and commercial strength of Genoa, and the returns of trade rapidly increased the sums first risked in oversea commerce.

At the beginning of the Crusades (early twelfth century), Genoa had become a free Commune with probably no less than 100,000 inhabitants. The "holy" war and other military adventures in the eastern Mediterranean and the Black Sea further enlarged the scope and the profits of trade. Loans to the feudal aristocracy and the crusading kings, as well as exchange operations in the fairs of Champagne, opened inland European trade and banking to the Genoese merchants. The Mongolian conquest of the larger part of Asia enabled them to reach India and China in the footsteps of the Venetian Marco Polo. Sea voyages, too, became longer and longer. Before the end of the twelfth century some ships turned the Strait of Gibraltar southwards, along the African coast. Less than one century later other ships went northwards to England and Flanders. In 1291 the Vivaldi brothers of Genoa first attempted to reach the Far East by sea, sailing westwards in the Atlantic. They never came back, but two hundred years later Columbus completed his trip—and reached America instead of China.

Colonization was started as early as the eleventh century, both by conquest and by peaceful means. The main object was to secure for the Genoese merchant and seamen abroad the right to be judged according to Genoa's own laws, and to obtain customs exemptions or reductions. Territorial gains were less important than personal franchise, which could be granted in a determinate country without connection to any particular place, but obviously were helpful for the development of trade. Individual merchants, or the Genoese citizens as a body, could acquire extra-territorial rights over just one building (*fondaco*) where they had their lodgings and bathrooms, deposited their merchandise, prayed to their God, paid their duties, and transacted their business, according to the laws of the motherland. They were safer and less crowded, however, where they had obtained a whole section of a city (as in Acre, Tripoli, and other Syrian-Palestinian centers) or a suburb (such as Pera opposite Constantinople). These settlements, which may be compared to those of the Western Powers in nineteenth-century China, were sur-

rounded by walls and towers, and ruled themselves as miniature replicas of the motherland, with officers, assemblies, and townhalls (*lobiae*, porches). Finally the colonists might enlarge their holdings to include a small portion of the coast and the immediate hinterland, where the soil, cultivated by natives, insured the food supply of the commercial colony. At times, also, territories including important mines or commercial crops might be secured.

Goods imported from the Levant and Africa into Europe included, above all, spices (medicinals, dyestuffs, perfumes, food seasonings, and the like) and luxury textiles or artistic objects, but also honey and other cheaper commodities. Goods exported from Europe via Genoa were mainly woolens, armor, iron and wood, and glassware. The largest cargo ships were the rounded *naves*, but they were very slow and vulnerable to enemy or piratical attacks. Hence the necessity of taking aboard archers, especially if the *navis* was to sail by itself. More often ships would travel in convoys, with a central group of sailships escorted by fast and well-armed oarships, the galleys. From the early fourteenth century, regular convoy lines linked Genoa with all parts of the Mediterranean, the Black Sea, and the Atlantic up to London or Newcastle and Bruges or Antwerp. In 1293, a boom year, the incoming and outgoing wares subject to tax in the Genoa harbor were evaluated at 3,822,000 Genoese pounds (in gold, more than fifteen million dollars; but the purchasing power of gold was at least three times larger than it is today). A little later, the custom duties paid in the Pera colony amounted to 200,000 hyperpers in one year, while in Constantinople itself the Byzantine customs netted only 30,000 hyperpers (the value of the Byzantine hyperper was roughly one half to two thirds of a Genoese pound).

Individual businessmen were often in a position to carry out large commercial and financial operations without asking for loans from anybody else. A Benedetto Zaccaria of the early fourteenth century controlled alum mines with a yearly output worth some 65,000 Genoese pounds and mastic crops worth about 16,000 pounds a year, owned many ships, had a *fondaco* of his own in Crimea, and ruled over an island in the Aegean; he was certainly wealthier than many kings of his time. His activity ranged from England and Flanders to southern Russia and Egypt, and extended to almost all branches of business. Yet he, too, welcomed loans from partnerships with the little man as well as the wealthy merchant, in order both to increase his capital and to shift part of the risks onto the shoulders of his partners.

Ordinary loans in the Middle Ages had the inconvenience that the taking of interest was forbidden by canon law. Although the law was universally transgressed—even by the pope—face-saving formulae had to be devised to camouflage what otherwise would have been branded as “usury.” For instance, the borrower would acknowledge receipt of a larger sum than had been lent, or would promise to pay back in a different currency at a rate of exchange higher than that actually practiced in the market. A compensation for risks (not an interest) could openly be demanded for a sea loan, if payment of the debt was conditional on the safe arrival of a ship. (Other sea loans included an insurance provision, the payment being made even if the ship was lost.)

The most widely used contract, however, was a sort of partnership called “*acomendatio*.” One of the partners remained at home and lent money or goods to

another partner, who carried along the investment in a business trip by sea or land. The traveling partner was not held to invest capital of his own. Both the risks and the profits were shared, the investor getting three fourths or (in overland ventures) one half of the profits, while the remainder was the reward of management. Theoretically the investor who stayed at home kept the right of giving detailed instructions on the use of his money in trade, but in practice the traveling partner had the control of the venture. Again, in theory each of the partners in a contract was liable with all of his goods, but in practice no partner was asked to refund shares lost by the others in unsuccessful enterprises. The ownership of vessels often was also divided into shares, with the purpose both of pooling the capital of many men in such a costly enterprise as the construction and equipment of a large ship, and of distributing the risks among many shareholders.

The following translations from the Latin are made from the texts in E. H. Byrne, *Genoese Shipping in the Twelfth and Thirteenth Centuries* (Cambridge, Mass., Medieval Academy of America, 1930), and G. L. Bratianu, *Actes des notaires génois de Péra et de Caffa de la fin du treizième siècle, 1281-1290* (Bucharest, Cultura Natională, 1927).



SHIPPING CONTRACT, GENOA,

February 23, 1250

WE Conrad Guarco, Pontius Riccio, Peter D'Oria, Guy Spinola, and Lanfranc Riccio, *share-holders* of the "navis" sail-ship called Great Paradise, each of us being liable for all the share-holders and for the entire investment, charter to you Ido Lercari jr., Ottolino di Negro (in your name and in name of Lanfranc Dugo), Willy Tartaro (in your name and in name of Jimmy Spinola), Benedict Castagna, Nicholas D'Oria (in your name and in name of Ansaldino D'Oria), Philip di Stazione, Bartholomew de Mari, Jimmy of Verdun, Hugh Lomello, James Rosso, and Diotisalvi Buonaventura, *merchants*, said ship for this present voyage overseas (to Syria), making a freight charge as stated below, and with sailors and sailing equipment as described below. In fact, we promise and agree with you, said merchants . . . that we shall have said ship ready and prepared with six cotton sails, three of which must be new, and with a hemp sail, and with nine pieces of mast, fit and in good condition, and with twenty-two anchors—and, in the voyage home, twenty-five anchors—and with twenty cables in new springs, besides other retted cables, and with ten springs, and with all other shrouds and equipment sufficient for said ship in said voyage. And we shall have a hundred sailors, among whom there are to be twenty bowmen and two experienced warrant officers, in whose number no servant or share-holder must be counted, except for the pilot personally. Also we promise to you merchants . . . that we shall have that ship, with sailors and every-

thing described above, ready and prepared to sail from the harbor of Genoa, and to engage in said trip, within the middle of next March; and that we shall go with said ship to Monaco or Antibio in order to take aboard there the cargo of said ship, and thence engage in said trip with the purpose of carrying it through. And after said ship has called at Monaco or Antibio in order to take aboard said cargo, we promise that within ten days we shall have her ready and prepared to hoist her sails, and to carry through said trip with said ship. If, however—may this not happen—we should hear reports that some armament is being made in the Sicilian area or elsewhere, which would prevent us from going safely with said ship and your merchandise to the area of Acre, we promise you that we shall go with said ship and your merchandise to Tripoli, in conformity with your wish (as you merchants will be on said ship), or with the wish of your majority in proportion to your share in the cargo. Also we promise to you, said merchants . . . that we shall not allow more than a hundred pilgrims—among whom there are to be no women—to come aboard said ship, either in going or in coming back; this, provided that no pilgrim will be allowed to stay from the middle mast to the stern. And we shall take aboard in said ship one merchant per cargo of ten *cantaria* of Acre after we have laden said ship. And we shall not allow any merchant to come aboard in Genoa in said ship on better conditions than any of you without your permission and wish, or the permission and wish of your majority. We may lade, however, up to 200 bales between the two decks of said ship in the voyage overseas. In coming back with said ship from overseas to Genoa, however, we promise that we shall not lade nor allow to be laden any merchandise between the two decks of said ship. Neither shall we allow any to be laden in any place where we may call with said ship while coming back to Genoa from overseas areas. Besides, we promise and agree with you said merchants . . . that we shall have said ship, with everything described above, ready and prepared within the middle of next September in the Acre area or in the place where she will have been laden, with the purpose of hoisting sails and going back to Genoa with the cargo of said ship. If, however, you should prefer to pay, and be in agreement about paying, according to the weight of Acre for said ship, we promise to you said merchants . . . that we shall discount, in the payment of the freight which you shall have to make for your things and merchandise, all that you have paid us in Genoa for the freight of your bales and merchandise, at the rate of three Saracenic besants of Syria per pound paid in Genoa; and we shall carry in said ship all of your things and merchandise and luggage, up to twenty bales per thousand of Genoese pounds.

In turn, we said merchants . . . promise and agree with you said share-holders that we shall go aboard said ship with all of our merchandise and bales within said date, in order to engage in said trip and carry it through as described above. And we shall give you in said ship ten *canturia* of Acre per thousand Genoese pounds for such quantity of merchandise, things, and bales, which we shall take along and lade in said ship. And we shall give and pay you for the freight eleven Saracenic besants of Syria per *cantarium* of Acre of such cargo as we shall lade in said ship. If, however, within four days of our arrival with said ship in the area of Syria (wherever we shall call with said ship in order to unload), we merchants should choose and agree to pay according to the weight of Genoa, then we promise that we said merchants shall give and pay to you share-holders ten pounds of Genoese money per *cantarium* of such bales and merchandise as we shall lade in said ship, according to the use and practice of Genoese weight; and we shall pay you the whole freight in Genoa for those bales and merchandise, at said rate which each one of us is to give for the cargo. And for such freight as shall remain to be paid to you by some of us for our bales and merchandise laden in said ship as described above, we promise you . . . that we shall give and pay three Saracenic besants of Syria per pound of such freight as shall remain to be paid to you by some of us merchants, within fifteen days of our decision to pay according to the weight of Genoa as described above. If, however, we should decide to pay according to the weight of Syria, then we promise you that we shall give and pay said freight and the cargo of said ship according to Genoese law, in Acre or wherever she will lade in order to go back to Genoa; and we shall lade no other merchandise and things in said ship but ours only and those of the merchants mentioned above. Besides, we said merchants promise . . . that we shall observe each one of the aforesaid stipulations without exception.

We share-holders on our own behalf, and we said merchants on our behalf and on behalf of the others mentioned above, promise to fulfill and execute each and all of the said stipulations, under penalty of paying 1,000 pounds of Genoese money to the other party. We reciprocally offer as security our goods, both present and future, for the fine and for the execution of the promise; and each of us merchants and share-holders is to be liable for everyone and for the entire sum with respect to the aforesaid obligations, waiving the benefit of the New Constitution concerning the co-defendants, and of the epistle of the divine Hadrian, and of the right of the principal debtor.

Executed in Genoa, in the church of St. Maria of the Vineyards, in 1250, seventh indiction, on the twenty-third of February, between terce and nones [canonical] hour. Witnesses: Marino of Parma, Nicholas son of Judge Guar-

nerius, and Tommy D'Oria. And they asked two copies to be made of it. This was made on behalf of said share-holders and merchants. Notary Palodino of Sestri Ponente.

"PARTNERSHIP" AGREEMENT, PERA,

June 28, 1281

I JOHNNY, son of Ambrose Zaccaria, acknowledge that I have gotten and received in "accomendatio" ("partnership") from you, Percival of Arenzano, hyperpers 140 of gold, of Constantinople alloy, invested in Lombard cloth; and I waive the exception of not getting and receiving the hyperpers, and all other rights. That "accomendatio" I am to carry in the [Eastern] Roman Empire, in exchange for one half of the profit, and I am to include it in my general reckoning of expenses and profits, in proportion to each hyperper of investment, having the right to send back [the outcome of the transaction] ahead of me. Then, upon my return, I promise that I shall hand over and place in your hands or in the hands of your accredited messenger, personally or through a messenger, the capital and profit of said "accomendatio," such as the Lord will give unto me, keeping back one half of the profit. In case of failure I promise you, who are entering this stipulation, a fine of twice as much as I have received, plus all damages and expenses which you incur in order to recover said sum. And on account of this I offer to you as security all my goods both present and future.

Executed in Pera opposite Constantinople, under the porch of the Genoese, the year of the Nativity of Our Lord 1281, on the twenty-eighth day of June, between terce and nones hour. Witnesses: John of Cremona, banker, and William Gandolfi, notary. Notary Simone of Albaro.

SAINT THOMAS AQUINAS

THE GREATEST NAME in the notable upsurge of intellectual activity in the thirteenth century is that of the "Angelic Doctor," St. Thomas Aquinas (1225-74). (See Chapter III below.) Born near Naples of noble parents, he entered the Dominican Order and studied under Albert the Great, whose encyclopedic production was surpassed only by Thomas himself. Teaching at Naples, Cologne, and Paris, Thomas was the foremost of those Dominicans who dominated university life in the thirteenth century.

Thomas's signal contribution to his own day was his cementing of the new lay interests of the rising urban cultures into the framework of traditional Christian philosophy. The vast undertaking in which he tried to harmonize Christianity as a religion and a way of life with the philosophic principles and methods of Aristotle is known as the "Thomistic synthesis."

A characteristic example of the way in which the imposing Thomistic synthesis could be applied to specific situations requiring the adjustment of old values and new interests is Thomas's treatment of the questions of just price and usury. The traditional view of the Church toward such commercial affairs had been represented by this dictum of St. Augustine: "Business is in itself an evil, for it turns men from seeking true rest, which is God." Again, a passage such as the following, incorporated in Canon Law by Gratian, is representative: "The man who buyeth a thing in order that he may gain by selling it again unchanged and as he bought it, that man is of the buyers and sellers who are cast forth from God's temple." This attitude persisted in the Middle Ages. As Professor Pirenne points out, "The needs of the bourgeoisie . . . ran counter to all the interests and ideas of a society dominated materially by the owners of large landed property, and spiritually by the Church, whose aversion to trade was unconquerable." The growing extent of capitalist forms of production and exchange made this attitude less practical by the time of St. Thomas, especially since the Church itself was a great borrower and lender and property holder. Thomas's formulations of these issues were representative attempts to govern a new set of institutions in terms of an enduring or practical Christian ethics. And if the regulations he set forth were not everywhere easy to define or to apply, it remains true, nevertheless, that Thomas was able to reconstruct traditional beliefs in a way that made them command attention in the practice of a changing world. Few attempts to bring together into one system the whole range of contemporary knowledge and wisdom have been so successful as that of St. Thomas.

The following selections are from the *Summa Theologica*, which Thomas began in Italy in 1265 and left incomplete at the time of his death. The work contains thirty-eight treatises, and a definitive edition was published at Basel in 1485. The translation from the Latin used here is by English Dominican fathers (London, Burns, Oates, and Washbourne, 2d rev. ed., 1920-29).



SUMMA THEOLOGICA

Of Cheating, Which Is Committed in Buying and Selling

FIRST, we shall consider cheating, which is committed in buying and selling; secondly, we shall consider usury, which occurs in loans. In connection with the other voluntary commutations no special kind of sin is to be found distinct from rapine and theft.

Under the first head there are four points of inquiry: (1) Of unjust sales as regards the price; namely, whether it is lawful to sell a thing for more than its worth? (2) Of unjust sales on the part of the thing sold. (3) Whether the seller is bound to reveal a fault in the thing sold? (4) Whether it is lawful in trading to sell a thing at a higher price than was paid for it?

FIRST ARTICLE: WHETHER IT IS LAWFUL TO SELL A THING FOR MORE THAN ITS WORTH?

We proceed thus to the First Article.

Objection 1. It would seem that it is lawful to sell a thing for more than its worth. In the commutations of human life, civil laws determine that which is just. Now according to these laws it is just for buyer and seller to deceive one another: and this occurs by the seller selling a thing for more than its worth, and the buyer buying a thing for less than its worth. Therefore it is lawful to sell a thing for more than its worth.

Obj. 2. Further, that which is common to all would seem to be natural and not sinful. Now Augustine relates that the saying of a certain jester was accepted by all, *You wish to buy for a song and to sell at a premium*, which agrees with the saying, *It is naught, it is naught, saith every buyer: and when he is gone away, then he will boast.*¹ Therefore it is lawful to sell a thing for more than its worth.

Obj. 3. Further, it does not seem unlawful if that which honesty demands be done by mutual agreement. Now, according to the Philosopher² in the friendship which is based on utility, the amount of the recompense for a favour received should depend on the utility accruing to the receiver: and this utility sometimes is worth more than the thing given, for instance if the receiver be in great need of that thing, whether for the purpose of avoiding a danger, or of deriving some particular benefit. Therefore, in contracts of buying and selling, it is lawful to give a thing in return for more than its worth.

¹ Proverbs xx, 14.

² *Nicomachean Ethics*, VIII, 13.

On the contrary, it is written³ *All things . . . whatsoever you would that men should do to you, do you also to them*. But no man wishes to buy a thing for more than its worth. Therefore no man should sell a thing to another man for more than its worth.

I answer that, it is altogether sinful to have recourse to deceit in order to sell a thing for more than its just price, because this is to deceive one's neighbour so as to injure him. Hence Tully [Cicero] says *Contracts should be entirely free from double-dealing; the seller must not impose upon the bidder, nor the buyer upon one that bids against him*.

But, apart from fraud, we may speak of buying and selling in two ways. First, as considered in themselves, and from this point of view, buying and selling seem to be established for the common advantage of both parties, one of whom requires that which belongs to the other, and vice versa, as the Philosopher states.⁴ Now whatever is established for the common advantage, should not be more of a burden to one party than to another, and consequently all contracts between them should observe equality of thing and thing. Again, the quality of a thing that comes into human use is measured by the price given for it, for which purpose money was invented, as stated in the *Ethics*.⁵ Therefore if either the price exceed the quantity of the thing's worth, or, conversely, the thing exceed the price, there is no longer the equality of justice: and consequently, to sell a thing for more than its worth, or to buy it for less than its worth, is in itself unjust and unlawful.

Secondly we may speak of buying and selling, considered as accidentally tending to the advantage of one party, and to the disadvantage of the other: for instance, when a man has great need of a certain thing, while another man will suffer if he be without it. In such a case the just price will depend not only on the thing sold, but on the loss which the sale brings on the seller. And thus it will be lawful to sell a thing for more than it is worth in itself, though the price paid be not more than it is worth to the owner. Yet if the one man derive a great advantage by becoming possessed of the other man's property, and the seller be not at a loss through being without that thing, the latter ought not to raise the price, because the advantage accruing to the buyer is not due to the seller, but to a circumstance affecting the buyer. Now no man should sell what is not his, though he may charge for the loss he suffers.

On the other hand if a man find that he derives great advantage from something he has bought, he may, of his own accord, pay the seller something over and above: and this pertains to his honesty.

Reply Obj. 1. Human law is given to the people among whom there are many lacking virtue, and it is not given to the virtuous alone. Hence human law

³ Matthew vii, 12.

⁴ *Politics*, II, 3.

⁵ *Ethics*, V, 5.

was unable to forbid all that is contrary to virtue; and it suffices for it to prohibit whatever is destructive of human intercourse, while it treats other matters as though they were lawful, not by approving of them, but by not punishing them. Accordingly, if without employing deceit the seller disposes of his goods for more than their worth, or the buyer obtain them for less than their worth, the law looks upon this as licit, and provides no punishment for so doing, unless the excess be too great, because then even human law demands restitution to be made, for instance if a man be deceived in regard of more than half the amount of the just price of a thing.

On the other hand the Divine law leaves nothing unpunished that is contrary to virtue. Hence, according to the Divine law, it is reckoned unlawful if the equality of justice be not observed in buying and selling; and he who has received more than he ought must make compensation to him that has suffered loss, if the loss be considerable. I add this condition, because the just price of things is not fixed with mathematical precision, but depends on a kind of estimate, so that a slight addition or subtraction would not seem to destroy the equality of justice.

Reply Obj. 2. As Augustine says *this jester, either by looking into himself or by his experience of others, thought that all men are inclined to wish to buy for a song and sell at a premium. But since in reality this is wicked, it is in every man's power to acquire that justice whereby he may resist and overcome this inclination.* And then he gives the example of a man who gave the just price for a book to a man who through ignorance asked a low price for it. Hence it is evident that this common desire is not from nature but from vice, wherefore it is common to many who walk along the broad road of sin.

Reply Obj. 3. In commutative justice we consider chiefly real equality. On the other hand, in friendship based on utility we consider equality of usefulness, so that the recompense should depend on the usefulness accruing, whereas in buying it should be equal to the thing bought.

SECOND ARTICLE: WHETHER A SALE IS RENDERED UNLAWFUL THROUGH A FAULT IN THE THING SOLD?

We proceed thus to the Second Article.

Objection 1. It would seem that a sale is not rendered unjust and unlawful through a fault in the thing sold. For less account should be taken of the other parts of a thing than of what belongs to its substance. Yet the sale of a thing does not seem to be rendered unlawful through a fault in its substance: for instance, if a man sell instead of the real metal, silver or gold produced by some chemical process, which is adapted to all the human uses for which silver and

gold are necessary, for instance in the making of vessels and the like. Much less therefore will it be an unlawful sale if the thing be defective in other ways.

Obj. 2. Further, any fault in the thing, affecting the quantity, would seem chiefly to be opposed to justice which consists in equality. Now quantity is known by being measured: and the measures of things that come into human use are not fixed, but in some places are greater, in others less, as the Philosopher states.⁶ Therefore just as it is impossible to avoid defects on the part of the thing sold, it seems that a sale is not rendered unlawful through the thing sold being defective.

Obj. 3. Further, the thing sold is rendered defective by lacking a fitting quality. But in order to know the quality of a thing, much knowledge is required that is lacking in most buyers. Therefore a sale is not rendered unlawful by a fault (in the thing sold).

On the contrary, Ambrose says: *It is manifestly a rule of justice that a good man should not depart from the truth, nor inflict an unjust injury on anyone, nor have any connection with fraud.*

I answer that a threefold fault may be found pertaining to the thing which is sold. One, in respect of the thing's substance: and if the seller be aware of a fault in the thing he is selling, he is guilty of a fraudulent sale, so that the sale is rendered unlawful. Hence we find it written against certain people, *Thy silver is turned into dross, thy wine is mingled with water:*⁷ because that which is mixed is defective in its substance.

Another defect is in respect of quantity which is known by being measured: wherefore if anyone knowingly make use of a faulty measure in selling, he is guilty of fraud, and the sale is illicit. Hence it is written: *Thou shalt not have divers weights in thy bag, a greater and a less: neither shall there be in thy house a greater bushel and a less*, and further on: *For the Lord . . . abhorreth him that doth these things, and He hateth all injustice.*⁸

A third defect is on the part of the quality, for instance, if a man sell an unhealthy animal as being a healthy one: and if anyone do this knowingly he is guilty of a fraudulent sale, and the sale, in consequence, is illicit.

In all these cases not only is the man guilty of a fraudulent sale, but he is also bound to restitution. But if any of the foregoing defects be in the thing sold, and he knows nothing about this, the seller does not sin, because he does that which is unjust materially, nor is his deed unjust. Nevertheless he is bound to compensate the buyer, when the defect comes to his knowledge. Moreover what has been said of the seller applies equally to the buyer. For sometimes it happens that the seller thinks his goods to be specifically of lower

⁶ *Ibid.*, V, 7.

⁷ Isaiah i, 22.

⁸ Deuteronomy xxv, 13, 14, 16.

value, as when a man sells gold instead of copper, and then if the buyer be aware of this, he buys it unjustly and is bound to restitution: and the same applies to a defect in quantity as to a defect in quality.

Reply Obj. 1. Gold and silver are costly not only on account of the usefulness of the vessels and other like things made from them, but also on account of the excellence and purity of their substance. Hence if the gold or silver produced by alchemists has not the true specific nature of gold and silver, the sale thereof is fraudulent and unjust, especially as real gold and silver can produce certain results by their natural action, which the counterfeit gold and silver of alchemists cannot produce. Thus the true metal has the property of making people joyful, and is helpful medicinally against certain maladies. Moreover real gold can be employed more frequently, and lasts longer in its condition of purity than counterfeit gold. If however real gold were to be produced by alchemy, it would not be unlawful to sell it for the genuine article, for nothing prevents art from employing certain natural causes for the production of natural and true effects, as Augustine says ⁹ of things produced by the art of the demons.

Reply Obj. 2. The measures of saleable commodities must needs be different in different places, on account of the difference of supply: because where there is greater abundance, the measures are wont to be larger. However in each place those who govern the state must determine the just measures of things saleable, with due consideration for the conditions of place and time. Hence it is not lawful to disregard such measures as are established by public authority or custom.

Reply Obj. 3. As Augustine says ¹⁰ the price of things saleable does not depend on their degree of nature, since at times a horse fetches a higher price than a slave; but it depends on their usefulness to man. Hence it is not necessary for the seller or buyer to be cognizant of the hidden qualities of the thing sold, but only of such as render the thing adapted to man's use, for instance, that the horse be strong, run well and so forth. Such qualities the seller and buyer can easily discover.

THIRD ARTICLE: WHETHER THE SELLER IS BOUND TO STATE THE DEFECTS OF THE THINGS SOLD?

We proceed thus to the Third Article.

Objection 1. It would seem that the seller is not bound to state the defects of the thing sold. Since the seller does not bind the buyer to buy, he would seem to leave it to him to judge of the goods offered for sale. Now judgment about a thing and knowledge of that thing belong to the same person. Therefore

⁹ *On the Trinity*, III, 8.

¹⁰ *The City of God*, XI, 16.

it does not seem imputable to the seller if the buyer be deceived in his judgment, and be hurried into buying a thing without carefully inquiring into its condition.

Obj. 2. Further, it seems foolish for anyone to do what prevents him carrying out his work. But if a man states the defects of the goods he has for sale, he prevents their sale: wherefore Tully pictures a man as saying: *Could anything be more absurd than for a public crier, instructed by the owner, to cry: "I offer this unhealthy house for sale"?* Therefore the seller is not bound to state the defects of the thing sold.

Obj. 3. Further, man needs more to know the road of virtue than to know the faults of things offered for sale. Now one is not bound to offer advice to all or to tell them the truth about matters pertaining to virtue, though one should not tell anyone what is false. Much less therefore is a seller bound to tell the faults of what he offers for sale, as though he were counselling the buyer.

Obj. 4. Further, if one were bound to tell the faults of what one offers for sale, this would only be in order to lower the price. Now sometimes the price would be lowered for some other reason, without any defect in the thing sold: for instance, if the seller carry wheat to a place where wheat fetches a high price, knowing that many will come after him carrying wheat; because if the buyers knew this they would give a lower price. But apparently the seller need not give the buyer this information. Therefore, in like manner, neither, need he tell him the faults of the goods he is selling.

On the contrary, Ambrose says: *In all contracts the defects of the saleable commodity must be stated; and unless the seller make them known, although the buyer has already acquired a right to them, the contract is voided on account of the fraudulent action.*

I answer that it is always unlawful to give anyone an occasion of danger or loss, although a man need not always give another the help or counsel which would be for his advantage in any way; but only in certain fixed cases, for instance when someone is subject to him, or when he is the only one who can assist him. Now the seller who offers goods for sale, gives the buyer an occasion of loss or danger, by the very fact that he offers him defective goods, if such defect may occasion loss or danger to the buyer: loss, if, by reason of this defect, the goods are of less value, and he takes nothing off the price on that account: danger, if this defect either hinder the use of the goods or render it hurtful, for instance, if a man sells a lame for a fleet horse, a tottering house for a safe one, rotten or poisonous food for wholesome. Wherefore if suchlike defects be hidden, and the seller does not make them known, the sale will be illicit and fraudulent, and the seller will be bound to compensation for the loss incurred.

On the other hand, if the defect be manifest, for instance if a horse have but one eye, or if the goods though useless to the buyer, be useful to someone else, provided the seller take as much as he ought from the price, he is not bound to state the defect of the goods, since perhaps on account of that defect the buyer might want him to allow a greater rebate than he need. Wherefore the seller may look to his own indemnity, by withholding the defect of the goods.

Reply Obj. 1. Judgment cannot be pronounced save on what is manifest: for *a man judges of what he knows*.¹¹ Hence if the defects of the goods offered for sale be hidden, judgment of them is not sufficiently left with the buyer unless such defects be made known to him. The case would be different if the defects were manifest.

Reply Obj. 2. There is no need to publish beforehand by the public crier the defects of the goods one is offering for sale, because if he were to begin by announcing its defects, the bidders would be frightened to buy, through ignorance of other qualities that might render the thing good and serviceable. Such defect ought to be stated to each individual that offers to buy: and then he will be able to compare the various points one with the other, the good with the bad: for nothing prevents that which is defective in one respect being useful in many others.

Reply Obj. 3. Although a man is not bound strictly speaking to tell everyone the truth about matters pertaining to virtue, yet he is so bound in a case when unless he tells the truth, his conduct would endanger another man in detriment to virtue: and so it is in this case.

Reply Obj. 4. The defect in a thing makes it of less value now than it seems to be: but in the case cited, the goods are expected to be of less value at a future time, on account of the arrival of other merchants, which was not foreseen by the buyers. Wherefore the seller, since he sells his goods at the price actually offered him, does not seem to act contrary to justice through not stating what is going to happen. If however he were to do so, or if he lowered his price, it would be exceedingly virtuous on his part: although he does not seem to be bound to do this as a debt of justice.

FOURTH ARTICLE: WHETHER, IN TRADING, IT IS LAWFUL TO SELL A THING AT A HIGHER PRICE THAN WHAT WAS PAID FOR IT?

We proceed thus to the Fourth Article.

Objection 1. It would seem that it is not lawful, in trading, to sell a thing for a higher price than we paid for it. For Chrysostom says in Matth. xxi, 12: *He that buys a thing in order that he may sell it, entire and unchanged, at a profit, is the trader who is cast out of God's temple*. Cassiodorus speaks in the

¹¹ *Nicomachean Ethics*, I, 3.

same sense in his commentary on Ps. lxx, 15, *Because I have not known learning, or trading according to another version: What is trade, says he, but buying at a cheap price with the purpose of retailing at a higher price?* and he adds: *Such were the tradesmen whom Our Lord cast out of the temple.* Now no man is cast out of the temple except for a sin. Therefore suchlike trading is sinful.

Obj. 2. Further, it is contrary to justice to sell goods at a higher price than their worth, or to buy them for less than their value. Now if you sell a thing for a higher price than you paid for it, you must either have bought it for less than its value, or sell it for more than its value. Therefore this cannot be done without sin.

Obj. 3. Further, Jerome says: *Shun, as you would the plague, a cleric who from being poor has become wealthy, or who, from being a nobody has become a celebrity.* Now trading would not seem to be forbidden to clerics except on account of its sinfulness. Therefore it is a sin in trading, to buy at a low price and to sell at a higher price.

On the contrary, Augustine commenting on Ps. lxx, 15, *Because I have known learning,* says: *The greedy tradesman blasphemes over his losses; he lies and perjures himself over the price of his wares. But these are vices of the man, not of the craft, which can be exercised without these vices.* Therefore trading is not in itself unlawful.

I answer that a tradesman is one whose business consists in the exchange of things. According to the Philosopher¹² exchange of things is twofold; one, natural as it were, and necessary, whereby one commodity is exchanged for another, or money taken in exchange for a commodity, in order to satisfy the needs of life. Suchlike trading, properly speaking does not belong to tradesmen, but rather to housekeepers or civil servants who have to provide the household or the state with the necessities of life. The other kind of exchange is either that of money for money, or of any commodity for money, not on account of the necessities of life, but for profit, and this kind of exchange, properly speaking, regards tradesmen, according to the Philosopher.¹³ The former kind of exchange is commendable because it supplies a natural need: but the latter is justly deserving of blame, because, considered in itself, it satisfies the greed for gain, which knows no limit and tends to infinity. Hence trading, considered in itself, has a certain debasement attaching thereto, in so far as, by its very nature, it does not imply a virtuous or necessary end. Nevertheless gain which is the end of trading, though not implying, by its nature, anything virtuous or necessary, does not, in itself, connote anything sinful or contrary to virtue: wherefore nothing prevents gain from being di-

¹² *Politics*, I, 3.

¹³ *Ibid.*

rected to some necessary or even virtuous end, and thus trading becomes lawful. Thus, for instance, a man may intend the moderate gain which he seeks to acquire by trading for the upkeep of his household, or for the assistance of the needy: or again, a man may take to trade for some public advantage, for instance, lest his country lack the necessaries of life, and seek gain, not as an end, but as payment for his labour.

Reply Obj. 1. The saying of Chrysostom refers to the trading which seeks gain as a last end. This is especially the case where a man sells something at a higher price without its undergoing any change. For if he sells at a higher price something that has changed for the better, he would seem to receive the reward of his labour. Nevertheless the gain itself may be lawfully intended, not as a last end, but for the sake of some other end which is necessary or virtuous, as stated above.

Reply Obj. 2. Not everyone that sells at a higher price than he bought is a tradesman, but only he who buys that he may sell at a profit. If, on the contrary, he buys not for sale but for possession, and afterwards, for some reason wishes to sell, it is not a trade transaction even if he sell at a profit. For he may lawfully do this, either because he has bettered the thing, or because the value of the thing has changed with the change of place or time, or on account of the danger he incurs in transferring the thing from one place to another, or again in having it carried by another. In this sense neither buying nor selling is unjust.

Reply Obj. 3. Clerics should abstain not only from things that are evil in themselves, but even from those that have an appearance of evil. This happens in trading, both because it is directed to worldly gain, which clerics should despise, and because trading is open to so many vices, since *a merchant is hardly free from sins of the lips*. There is also another reason, because trading engages the mind too much with worldly cares, and consequently withdraws it from spiritual cares; wherefore the Apostle says: *No man being a soldier to God entangleth himself with secular businesses*.¹⁴ Nevertheless it is lawful for clerics to engage in the first mentioned kind of exchange, which is directed to supply the necessaries of life, either by buying or by selling.

Of the Sin of Usury

We must now consider the sin of usury, which is committed in loans: and under this head there are four points of inquiry: (1) Whether it is a sin to take money as a price for money lent, which is to receive usury? (2) Whether it is lawful to lend money for any other kind of consideration, by way of pay-

¹⁴ II Timothy ii, 4.

ment for the loan? (3) Whether a man is bound to restore just gains derived from money taken in usury? (4) Whether it is lawful to borrow money under a condition of usury?

FIRST ARTICLE: WHETHER IT IS A SIN TO TAKE USURY FOR MONEY LENT?

We proceed thus to the First Article.

Objection 1. It would seem that it is not a sin to take usury for money lent. For no man sins through following the example of Christ. But Our Lord said of Himself: *At My coming I might have exacted it*, i. e., the money lent, *with usury*.¹⁵ Therefore it is not a sin to take usury for lending money.

Obj. 2. Further, *The law of the Lord is unspotted*, because, to wit, it forbids sin.¹⁶ Now usury of a kind is allowed in the Divine law, *Thou shalt not lend to thy brother money, nor corn, nor any other thing, but to the stranger*:¹⁷ nay more, it is even promised as a reward for the observance of the Law, *Thou shalt lend to many nations, and shalt not borrow of any one*.¹⁸ Therefore it is not a sin to take usury.

Obj. 3. Further, in human affairs justice is determined by civil laws. Now civil laws allows usury to be taken. Therefore it seems to be lawful.

Obj. 4. Further, the counsels are not binding under sin. But, among other counsels we find: *Lend, hoping for nothing thereby*.¹⁹ Therefore it is not a sin to take usury.

Obj. 5. Further, it does not seem to be in itself sinful to accept a price for doing what one is not bound to do. But one who has money is not bound in every case to lend it to his neighbour. Therefore it is lawful for him sometimes to accept a price for lending it.

Obj. 6. Further, silver made into coins does not differ specifically from silver made into a vessel. But it is lawful to accept a price for the loan of a silver vessel. Therefore it is also lawful to accept a price for the loan of a silver coin. Therefore usury is not in itself a sin.

Obj. 7. Further, anyone may lawfully accept a thing which its owner freely gives him. Now he who accepts the loan, freely gives the usury. Therefore he who lends may lawfully take the usury.

On the contrary, it is written: *If thou lend money to any of thy people that is poor, that dwelleth with thee, thou shalt not be hard upon them as an extortioner, nor oppress them with usuries*.²⁰

I answer that to take usury for money lent is unjust in itself, because this is to sell what does not exist, and this evidently leads to inequality which is contrary to justice.

¹⁵ Luke xix, 23.

¹⁸ Deuteronomy xxviii, 12.

¹⁶ Psalms xix, 8.

¹⁹ Luke vi, 35.

¹⁷ Deuteronomy xxiii, 19, 20.

²⁰ Exodus xxii, 25.

In order to make this evident, we must observe that there are certain things the use of which consists in their consumption: thus we consume wine when we use it for drink, and we consume wheat when we use it for food. Wherefore in suchlike things the use of the thing must not be reckoned apart from the thing itself, and whoever is granted the use of the thing, is granted the thing itself; and for this reason, to lend things of this kind is to transfer the ownership. Accordingly if a man wanted to sell wine separately from the use of the wine, he would be selling the same thing twice, or he would be selling what does not exist, wherefore he would evidently commit a sin of injustice. In like manner he commits an injustice who lends wine or wheat, and asks for double payment, viz., one, the return of the thing in equal measure, the other, the price of the use, which is called usury.

On the other hand there are things the use of which does not consist in their consumption: thus to use a house is to dwell in it, not to destroy it. Wherefore in such things both may be granted: for instance, one man may hand over to another the ownership of his house while reserving to himself the use of it for a time, or vice versa, he may grant the use of the house, while retaining the ownership. For this reason a man may lawfully make a charge for the use of his house, and, besides this, revendicate the house from the person to whom he has granted its use, as happens in renting and letting a house.

Now money, according to the Philosopher²¹ was invented chiefly for the purpose of exchange: and consequently the proper and principal use of money is its consumption or alienation whereby it is sunk in exchange. Hence it is by its very nature unlawful to take payment for the use of money lent, which payment is known as usury: and just as a man is bound to restore other ill-gotten goods, so is he bound to restore the money which he has taken in usury.

Reply Obj. 1. In this passage usury must be taken figuratively for the increase of spiritual goods which God exacts from us, for He wishes us ever to advance in the goods which we receive from Him: and this is for our own profit not for His.

Reply Obj. 2. The Jews were forbidden to take usury from their brethren, i. e., from other Jews. By this we are given to understand that to take usury from any man is evil, simply because we ought to treat every man as our neighbour and brother, especially in the state of the Gospel, whereto all are called. Hence it is said without any distinction: *He that hath not put out his money to usury*, and *Who hath not taken usury*.²² They were permitted, however, to take usury from foreigners, not as though it were lawful, but in order to avoid a greater evil, lest, to wit, through avarice to which they were prone ac-

²¹ *Nicomachean Ethics*, V, 5; *Politics*, I, 3.

²² *Psalms* xv, 5; *Ezekiel* xviii, 8.

cording to Isaiah lvi, II, they should take usury from the Jews who were worshippers of God.

Where we find it promised to them as a reward, *Thou shalt fenerate to many nations*, etc., fenerating is to be taken in a broad sense for lending, where we read: *Many have refused to fenerate, not out of wickedness*, i. e., they would not lend. Accordingly the Jews are promised in reward an abundance of wealth, so that they would be able to lend to others.

Reply Obj. 3. Human laws leave certain things unpunished, on account of the condition of those who are imperfect, and who would be deprived of many advantages, if all sins were strictly forbidden and punishments appointed for them. Wherefore human law has permitted usury, not that it looks upon usury as harmonizing with justice, but lest the advantage of many should be hindered. Hence it is that in civil law it is stated that *those things according to natural reason and civil law which are consumed by being used, do not admit of usufruct*, and that *the senate did not (nor could it) appoint a usufruct to such things, but established a quasi-usufruct*, namely by permitting usury. Moreover the Philosopher, led by natural reason, says that *to make money by usury is exceedingly unnatural*.²³

Reply Obj. 4. A man is not always bound to lend, and for this reason it is placed among the counsels. Yet it is a matter of precept not to seek profit by lending: although it may be called a matter of counsel in comparison with the maxims of the Pharisees, who deemed some kinds of usury to be lawful, just as love of one's enemies is a matter of counsel. Or again, he speaks here not of the hope of usurious gain, but of the hope which is put in man. For we ought not to lend or do any good deed through hope in man, but only through hope in God.

Reply Obj. 5. He that is not bound to lend may accept repayment for what he has done, but he must not exact more. Now he is repaid according to equality of justice if he is repaid as much as he lent. Wherefore if he exacts more for the usufruct of a thing which has no other use but the consumption of its substance, he exacts a price of something non-existent: and so his exaction is unjust.

Reply Obj. 6. The principal use of a silver vessel is not its consumption, and so one may lawfully sell its use while retaining one's ownership of it. On the other hand the principal use of silver money is sinking it in exchange, so that it is not lawful to sell its use and at the same time expect the restitution of the amount lent. It must be observed, however, that the secondary use of silver vessels may be an exchange, and such use may not be lawfully sold. In like

²³ *Politics*, I, 3.

manner there may be some secondary use of silver money; for instance, a man might lend coins for show, or to be used as security.

Reply Obj. 7. He who gives usury does not give it voluntarily simply, but under a certain necessity, in so far as he needs to borrow money which the owner is unwilling to lend without usury.

SECOND ARTICLE: WHETHER IT IS LAWFUL TO ASK FOR ANY OTHER KIND OF CONSIDERATION FOR MONEY LENT?

We proceed thus to the Second Article.

Objection 1. It would seem that one may ask for some other kind of consideration for money lent. For everyone may lawfully seek to indemnify himself. Now sometimes a man suffers loss through lending money. Therefore he may lawfully ask for or even exact something else besides the money lent.

Obj. 2. Further, as stated in the *Ethics*²⁴ one is in duty bound by a point of honour, to repay anyone who has done us a favour. Now to lend money to one who is in straits is to do him a favour for which he should be grateful. Therefore the recipient of a loan, is bound by a natural debt to repay something. Now it does not seem unlawful to bind oneself to an obligation of the natural law. Therefore it is not unlawful, in lending money to anyone, to demand some sort of compensation as a condition of the loan.

Obj. 3. Further, just as there is real remuneration, so is there verbal remuneration, and remuneration by service, as a gloss says on Isaiah xxxiii, 15, *Blessed is he that shaketh his hands from all bribes*. Now it is lawful to accept service or praise from one to whom one has lent money. Therefore in like manner it is lawful to accept any other kind of remuneration.

Obj. 4. Further, seemingly the relation of gift to gift is the same as of loan to loan. But it is lawful to accept money for money given. Therefore it is lawful to accept repayment by loan in return for a loan granted.

Obj. 5. Further, the lender, by transferring his ownership of a sum of money removes the money further from himself than he who entrusts it to a merchant or craftsman. Now it is lawful to receive interest for money entrusted to a merchant or craftsman. Therefore it is also lawful to receive interest for money lent.

Obj. 6. Further, a man may accept a pledge for money lent, the use of which pledge he might sell for a price: as when a man mortgages his land or the house wherein he dwells. Therefore it is lawful to receive interest for money lent.

Obj. 7. Further, it sometimes happens that a man raises the price of his goods under guise of loan, or buys another's goods at a low figure; or raises his price through delay in being paid, and lowers his price that he may be paid the

sooner. Now in all these cases there seems to be payment for a loan of money: nor does it appear to be manifestly illicit. Therefore it seems to be lawful to expect or exact some consideration for money lent.

On the contrary, among other conditions requisite in a just man it is stated that he *hath not taken usury and increase*.²⁵

I answer that according to the Philosopher²⁶ a thing is reckoned as money *if its value can be measured by money*. Consequently, just as it is a sin against justice, to take money, by tacit or express agreement, in return for lending money or anything else that is consumed by being used, so also is it a like sin, by tacit or express agreement to receive anything whose price can be measured by money. Yet there would be no sin in receiving something of the kind, not as exacting it, nor yet as though it were due on account of some agreement tacit or expressed, but as a gratuity: since, even before lending the money, one could accept a gratuity, nor is one in a worse condition through lending.

On the other hand it is lawful to exact compensation for a loan, in respect of such things as are not appreciated by a measure of money, for instance, benevolence, and love for the lender, and so forth.

Reply Obj. 1. A lender may without sin enter an agreement with the borrower for compensation for the loss he incurs of something he ought to have, for this is not to sell the use of money but to avoid a loss. It may also happen that the borrower avoids a greater loss than the lender incurs, wherefore the borrower may repay the lender with what he has gained. But the lender cannot enter an agreement for compensation, through the fact that he makes no profit out of his money: because he must not sell that which he has not yet and may be prevented in many ways from having.

Reply Obj. 2. Repayment for a favour may be made in two ways. In one way, as a debt of justice; and to such a debt a man may be bound by a fixed contract: and its amount is measured according to the favour received. Wherefore the borrower of money or any such thing the use of which is its consumption is not bound to repay more than he received in loan: and consequently it is against justice if he be obliged to pay back more. In another way a man's obligation to repayment for favour received is based on a debt of friendship, and the nature of this debt depends more on the feeling with which the favour was conferred than on the greatness of the favour itself. This debt does not carry with it a civil obligation, involving a kind of necessity that would exclude the spontaneous nature of such a repayment.

Reply Obj. 3. If a man were, in return for money lent, as though there had been an agreement tacit or expressed, to expect or exact repayment in the shape of some remuneration of service or words, it would be the same as if he ex-

²⁵ Ezekiel xviii, 7.

²⁶ *Nicomachean Ethics*, IV, 1.

pected or exacted some real remuneration, because both can be priced at a money value, as may be seen in the case of those who offer for hire the labour which they exercise by work or by tongue. If on the other hand the remuneration by service or words be given not as an obligation, but as a favour, which is not to be appreciated at a money value, it is lawful to take, exact, and expect it.

Reply Obj. 4. Money cannot be sold for a greater sum than the amount lent, which has to be paid back: nor should the loan be made with a demand or expectation of aught else but of a feeling of benevolence which cannot be priced at a pecuniary value, and which can be the basis of a spontaneous loan. Now the obligation to lend in return at some future time is repugnant to such a feeling, because again an obligation of this kind has its pecuniary value. Consequently it is lawful for the lender to borrow something else at the same time, but it is unlawful for him to bind the borrower to grant him a loan at some future time.

Reply Obj. 5. He who lends money transfers the ownership of the money to the borrower. Hence the borrower holds the money at his own risk and is bound to pay it all back: wherefore the lender must not exact more. On the other hand he that entrusts his money to a merchant or craftsman so as to form a kind of society, does not transfer the ownership of his money to them, for it remains his, so that at his risk the merchant speculates with it, or the craftsman uses it for his craft, and consequently he may lawfully demand as something belonging to him, part of the profits derived from his money.

Reply Obj. 6. If a man in return for money lent to him pledges something that can be valued at a price, the lender must allow for the use of that thing towards the repayment of the loan. Else if he wishes the gratuitous use of that thing in addition to repayment, it is the same as if he took money for lending, and that is usury; unless perhaps it were such a thing as friends are wont to lend to one another gratis, as in the case of the loan of a book.

Reply Obj. 7. If a man wish to sell his goods at a higher price than that which is just, so that he may wait for the buyer to pay, it is manifestly a case of usury: because this waiting for the payment of the price has the character of a loan, so that whatever he demands beyond the just price in consideration of this delay is like a price for a loan, which pertains to usury. In like manner if a buyer wishes to buy goods at a lower price than what is just, for the reason that he pays for the goods before they can be delivered, it is a sin of usury; because again this anticipated payment of money has the character of a loan, the price of which is the rebate on the just price of the goods sold. On the other hand if a man wishes to allow a rebate on the just price in order that he may have his money sooner, he is not guilty of the sin of usury.

THIRD ARTICLE: WHETHER A MAN IS BOUND TO RESTORE WHATEVER PROFITS HE HAS MADE OUT OF MONEY GOTTEN BY USURY?

We proceed thus to the Third Article.

Objection 1. It would seem that a man is bound to restore whatever profits he has made out of money gotten by usury. For the Apostle says: ²⁷ *If the root be holy, so are the branches.* Therefore likewise if the root be rotten so are the branches. But the root was infected with usury. Therefore whatever profit is made therefrom is infected with usury. Therefore he is bound to restore it.

Obj. 2. Further, it is laid down: *Property accruing from usury must be sold, and the price repaid to the persons from whom the usury was extorted.* Therefore, likewise, whatever else is acquired from usurious money must be restored.

Obj. 3. Further, that which a man buys with the proceeds of usury is due to him by reason of the money he paid for it. Therefore he has no more right to the thing purchased than to the money he paid. But he was bound to restore the money gained through usury. Therefore he is also bound to restore what he acquired with it.

On the contrary, a man may lawfully hold what he has lawfully acquired. Now that which is acquired by the proceeds of usury is sometimes lawfully acquired. Therefore it may be lawfully retained.

I answer that there are certain things whose use is their consumption, and which do not admit of usufruct, according to law. Wherefore if suchlike things be extorted by means of usury, for instance money, wheat, wine and so forth, the lender is not bound to restore more than he received (since what is acquired by such things is the fruit not of the thing but of human industry), unless indeed the other party by losing some of his own goods be injured through the lender retaining them: for then he is bound to make good the loss.

On the other hand there are certain things whose use is not their consumption: such things admit of usufruct, for instance house or land property and so forth. Wherefore if a man has by usury extorted from another his house or land, he is bound to restore not only the house or land but also the fruits accruing to him therefrom, since they are the fruits of things owned by another man and consequently are due to him.

Reply Obj. 1. The root has not only the character of matter, as money made by usury has; but has also somewhat the character of an active cause, in so far as it administers nourishment. Hence the comparison fails.

Reply Obj. 2. Further, property acquired from usury does not belong to the person who paid usury, but to the person who bought it. Yet he that paid usury has a certain claim on that property just as he has on the other goods of

²⁷ Romans xi, 16.

the usurer. Hence it is not prescribed that such property should be assigned to the persons who paid usury, since the property is perhaps worth more than what they paid in usury, but it is commanded that the property be sold, and the price be restored, of course according to the amount taken in usury.

Reply Obj. 3. The proceeds of money taken in usury are due to the person who acquired them not by reason of the usurious money as instrumental cause, but on account of his own industry as principal cause. Wherefore he has more right to the goods acquired with usurious money than to the usurious money itself.

FOURTH ARTICLE: WHETHER IT IS LAWFUL TO BORROW MONEY UNDER A CONDITION OF USURY?

We proceed thus to the Fourth Article.

Objection 1. It would seem that it is not lawful to borrow money under a condition of usury. For the Apostle says ²⁸ that they are *worthy of death . . . not only they that do these sins, but they also that consent to them that do them*. Now he that borrows money under a condition of usury consents in the sin of the usurer, and gives him an occasion of sin. Therefore he sins also.

Obj. 2. Further, for no temporal advantage ought one to give another an occasion of committing a sin: for this pertains to active scandal, which is always sinful. Now he that seeks to borrow from a usurer gives him an occasion of sin. Therefore he is not to be excused on account of any temporal advantage.

Obj. 3. Further, it seems no less necessary sometimes to deposit one's money with a usurer than to borrow from him. Now it seems altogether unlawful to deposit one's money with a usurer, even as it would be unlawful to deposit one's sword with a madman, a maiden with a libertine, or food with a glutton. Neither therefore is it lawful to borrow from a usurer.

On the contrary, he that suffers injury does not sin, according to the Philosopher,²⁹ wherefore justice is not a mean between two vices, as stated in the same book. Now a usurer sins by doing an injury to the person who borrows from him under a condition of usury. Therefore he that accepts a loan under a condition of usury does not sin.

I answer that it is by no means lawful to induce a man to sin, yet it is lawful to make use of another's sin for a good end, since even God uses all sin for some good, since He draws some good from every evil as stated in the *Enchiridion*.³⁰ Hence when Publicola asked whether it were lawful to make use of an oath taken by a man swearing by false gods (which is a manifest sin, for he gives Divine honour to them) Augustine answered that he who uses, not for a bad but for a good purpose, the oath of a man that swears by false gods, is a party,

²⁸ Romans i, 32.

²⁹ Nicomachean Ethics, V, 11.

³⁰ Augustine, *Enchiridion*, XI.

not to his sin of swearing by demons, but to his good compact whereby he kept his word. If however he were to induce him to swear by false gods, he would sin.

Accordingly he must also answer to the question in point that it is by no means lawful to induce a man to lend under a condition of usury: yet it is lawful to borrow for usury from a man who is ready to do so and is a usurer by profession; provided the borrower has a good end in view, such as the relief of his own or another's need. Thus too it is lawful for a man who had fallen among thieves to point out his property to them (which they sin in taking) in order to save his life, after the example of the ten men who said to Ismahel: *Kill us not: for we have stores in the field.*

Reply Obj. 1. He who borrows for usury does not consent to the usurer's sin but makes use of it. Nor is it the usurer's acceptance of usury that pleases him, but his lending, which is good.

Reply Obj. 2. He who borrows for usury gives the usurer an occasion, not for taking usury, but for lending; it is the usurer who finds an occasion of sin in the malice of his heart. Hence there is passive scandal on his part, while there is no active scandal on the part of the person who seeks to borrow. Nor is this passive scandal a reason why the other person should desist from borrowing if he is in need, since this passive scandal arises not from weakness or ignorance but from malice.

Reply Obj. 3. If one were to entrust one's money to a usurer lacking other means of practising usury; or with the intention of making a greater profit from his money by reason of the usury, one would be giving a sinner matter for sin, so that one would be a participator in his guilt. If, on the other hand, the usurer to whom one entrusts one's money has other means of practising usury, there is no sin in entrusting it to him that it may be in safer keeping, since this is to use a sinner for a good purpose.

LAS SIETE PARTIDAS

A MAN of the Middle Ages typified many aspects of the Aristotelian notion of "political," or social, man. Though he was perhaps an "individual" before God, his acceptance by fellow men hinged largely upon his social condition, as determined by his city or region, his occupation, and his "estate." These affiliations were immediately recognizable in his appearance and comportment; often they dictated symbolic, highly stylized manners and attire, as the following excerpts from *Las Siete Partidas*, a code of thirteenth-century Spanish laws, make clear in the case of knights and prelates.

Functional and regional communities, then, rather than single men were the nuclear element of medieval society. Within this society justice, as a universal moral principle, was more easily reconciled with the practical ordering of man's daily affairs than is possible in an individualized society. For a community, unlike *the* (abstract) individual, is suffused with traditions, which in the Middle Ages were deemed to enshrine Christian justice. This justice—in origin a spiritual emanation from God—was held to be concretized, however imperfectly, by the pope, kings, and cognizant members of the multiform hierarchy in the specific decisions of human life. Such decisions were then gradually absorbed and purified within the hallowed, diverse, and, as *Las Siete Partidas* frequently evince, quite empirical traditions of communities and estates. To speak of "law," therefore, in medieval Europe is to designate a host of vegetative accruals of usage, all in some measure imbued with common religious principles.

In the kingdoms of Leon and Castile, which were united in 1230 and can for convenience be called Spain, law exhibited this variform character to a high degree, for the long centuries of "Reconquest" from the Moors entailed the granting of a multitude of *fueros* (privileges) by the kings within successively recovered domains. In the thirteenth century, however, Spanish monarchs, anxious to broaden the base of nationhood, began to make uniform the laws of the realm. This task was facilitated, first, by the fact that a seventh-century Christian-Visigothic compilation of principles for tribunals of justice (the *Liber Iudiciorum*) was still in general acceptance and, second, by the fact that jealousies among cities and within estates had led the crown partly to recognize, in essence if not in form, various classes of *fueros*. In 1265 the definitive codification appeared as the *Libro de las Leyes* (Book of the Laws), usually called *Las Siete Partidas* for "the seven parts" into which it was for mystical reasons divided.

The literary rendition of the *Partidas* was principally the work of Alfonso X (1221–84), whose devotion to poetry, historiography, geometry, astronomy, and occult sciences prejudiced his statecraft but won him the epithet Alfonso the Wise. The sources were ancient Visigothic customs, Church decretals, and more recent usages of the changing economy—compiled under the influence of jurists whose studies in Paris and Bologna had acquainted them with the order, simplicity, and broad scope of the Justinian Digest and Code of sixth-century Rome. Despite their threat to local privileges, however, which delayed promulgation until 1348,

the spirit of the *Partidas* is medieval and Christian rather than statist and neo-Roman. Their primary concern is not with creating a homogeneous citizenry, or imperium, subject to easy manipulation by the crown, but with causing the divers orders of the realm to be severally informed by Christian justice. As one writer has said, the *Partidas* contain principles of conduct, not rules for conduct. This is evident if one examines the qualifications with which they define the term "king" and their exhortation of the tyrant who forbids "fellowship and assemblies of men." It is also evident in their definition of friendship and how it is best preserved; in their instructions for the seemly, cheerful, and quiet upbringing of princesses; in their discussion of necessary conditions for scholarship. By the sixteenth century the *Partidas* came to be extensively supplemented by restrictive, regulatory codes of imperial Spain, a trend paralleled throughout Europe. But such was their vigor that they furnished an effective body of jurisprudence into the nineteenth century, and some of their provisions even became law in the United States when it incorporated Louisiana and Florida.

The following selections have been adapted from Samuel Scott Parsons's translation from the Spanish (taken, by permission, from *Las Siete Partidas*, published by and copyright 1931, Commerce Clearing House, Inc., Chicago 1, Illinois). Emphasizing the estates of the knight and prelate, they particularize an ideal of society which, in broad outline, prevailed throughout late-medieval western Europe.



LAS SIETE PARTIDAS

Partida II, Title X

LAW I: WHAT THE WORD "PEOPLE" MEANS

Some think that the word "people" refers to the common people, such as artisans and laborers, but this is not the case, for in ancient Babylon, Troy and Rome, famous cities which did things in a reasonable and orderly fashion, each thing was called by an appropriate name. In these cities the word "people" was used to designate all classes together, upper, middle and lower, for all are necessary, and none can be excepted. In order for them to live well and be protected and supported, they all must assist one another.

Partida IV, Title XXIII (On the Status of Men)

LAW I: WHAT THE STATUS OF MEN MEANS; ITS VARIOUS TYPES AND ITS BENEFITS

Status hominum means . . . the state, condition or manner in which men live or find themselves. . . . It is quite worthwhile to be able to recognize and

know the condition of men, for by this means one can better distinguish and render a decision in conflicts which occur with respect to their persons.

**LAW II: HOW THE QUALITY WHICH ATTACHES TO THE
CONDITION OF MEN IS DISTINGUISHED**

The quality of the status of men has several divisions, for according to law the person of a freeman is judged differently from that of a slave, even though no distinction may exist between them according to nature. In like manner men of noble descent are honored and judged in another way from those of inferior rank, and priests from laymen, and legitimate children from bastards, and Christians from Moors and Jews. Moreover, the status of a man is superior to that of a woman in many things and in many respects. . . .

**LAW V: CONCERNING CREATURES WITHOUT HUMAN FORM
BORN OF PREGNANT WOMEN**

Creatures born of women and who are not formed as human beings, as where they have the heads or limbs of beasts, should not be considered human. For this reason neither their fathers nor mothers are bound to make them heirs of their property, nor are they entitled to it, although they may be named heirs. But where a creature is born with the form of a man, although he may have too many or too few limbs, he is not prevented by this from inheriting the property of his father or mother or other relatives.

*Title XXIV (Concerning the Obligation
Existing between Men and Their Lords
by Reason of Natural Feeling)*

**LAW I: WHAT NATURAL FEELING MEANS AND WHAT
DISTINCTION EXISTS BETWEEN IT AND NATURE**

Natural feeling means a mutual obligation of men to love and cherish one another for some just reason. The following distinction exists between it and nature, namely: nature is a force which causes everything to remain in the condition directed by the hand of God; natural feeling is something which resembles nature and assists everything derived from it to exist and be preserved.

LAW III: THE OBLIGATIONS OF INDIVIDUALS TO THEIR PARENTS

The obligation which man owes God is greater than anything else which can possibly exist. This debt has a natural origin, because He caused man to be born and preserves his life and affords him the hope of a perpetual existence

according to his merit in the other world; and he should know, love and fear God for these reasons. . . . Moreover, men owe a great natural obligation to their fathers and mothers. The obligation a man owes his father is very great, because he begot him at the proper time and diminished his own substance in order that the other might exist, and also because his father's property will belong to him. He is also under deep obligation to his mother for the reason that she had her share in his origin, and underwent severe hardships before he was born, serious danger at the time, and encountered much trouble rearing him. He is indebted to the nurse who brought him up, because she gave him her milk at a time when he required it and nourished him as his mother would have done. He is also under a great obligation to his tutor, because he formed him and guided him when he had need of it, and was as a father to him. . . .

LAW IV: CONCERNING THE OBLIGATIONS WHICH INDIVIDUALS

OWE THEIR LORDS AND THE COUNTRY IN WHICH THEY LIVE,
AND HOW THIS RELATION SHOULD BE MAINTAINED BETWEEN THEM

All dependents should love their lords because of the natural obligation which they owe them, and should serve them because of the benefits they receive from them and those which they expect to receive. They should honor them because of the honor which they obtain from them, and protect them because they and their property are protected by them, and increase their property because their own will be increased for the same reason, and cheerfully suffer death for their lords, if it should be necessary, because of the good and honorable life which they have lived with them. They owe a great debt to their country, for they should love it and add to it and die for it, whenever this becomes necessary. . . .

LAW V: HOW NATURAL RELATIONSHIP MAY BE LOST

To denaturalize himself . . . is for a man to abandon the relationship maintained with his lord or with the country in which he lives. Since it is a sort of natural obligation, this relation cannot be dissolved except for some just reason. The lawful reasons by which individuals can do this are four in number. One of them arises from a fault of the dependent and three from a fault of the lord. This would be the case where the dependent commits treason against his lord or his country and by this act alone is deprived of the property and honors coming from his lord and his country. The first of the three which arises from a fault of the lord is when he attempts to cause the death of his dependent without reason and without justice; the second, when he dishonors him through his wife; the third, when he wrongfully disinherits him and is unwilling to treat him with justice, either by the decision of friends or of his court.

Title XXV (Concerning Vassals)

LAW I: WHAT A LORD IS, AND WHAT A VASSAL IS

A lord, properly speaking, is one who has command of and authority over all persons living on his lands. All should call a person of this kind lord, not only those who are his dependents, but also those who visit him and his holdings. Moreover, every man is called a lord who by reason of nobility of birth has power to arm knights and hold serfs, but a person of this kind should not be styled lord except by those who are his vassals and receive benefits from him. Vassals are those who receive honors and benefits from their lords, such as knighthood, land or money, in return for special services which they are obliged to render.

LAW II: HOW MANY KINDS OF LORDSHIP AND VASSALAGE THERE ARE

There are five different kinds of lordship and vassalage. The first, and most important, is that which the king maintains over all persons in his reign, called in Latin *merum imperium*, which means the clear and absolute right to judge and command the people of his country. The second is that which lords exercise over their vassals in consideration of the benefits and honors which the latter receive from them, as we have explained above. The third is that which lords enjoy over their estates, whether this refers to free towns therein or to their own patrimony, according to the *fueros* of Castile. The fourth is the authority which fathers have over their children. . . . The fifth is the power which masters possess over their slaves, as previously stated in the laws which treat of this subject.

LAW IV: HOW ONE MAN CAN BECOME THE VASSAL OF ANOTHER

One man can become the vassal of another according to the ancient custom of Spain by acknowledging himself to be the vassal of the party who accepts him and by kissing his hand in recognition of his authority. There is another way in which this is done, by means of homage, which is more serious because a man not only becomes the vassal of another thereby but is obliged to comply with whatever he promises, as he would by a contract. Homage means that one man is placed in the hands of another and becomes his own, for the purpose of giving security that he will accomplish something which he promises to give or to do. Homage takes place not only in the contract of vassalage but in all other contracts and agreements which men enter into with one another with the intention of fulfilling them.

Partida II, Title XXI (Concerning Knights and the Things Which It Is Proper for Them to Do)

DEFENDERS constitute one of the three means through which God desired the world to be sustained. Just as those who pray to God for the people are called preachers, and those who cultivate the earth and perform the work by means of which men must live and be supported are called laborers, those, on the other hand, whose duty is to protect all are called defenders; and hence it was considered proper by the ancients that the men who have such duties to perform should be carefully selected. This is the case because three things are implied by defense, namely: energy, honor and power.

In [another] Title we have shown how the people should act toward the country in which they live, by begetting offspring which may inhabit it; by cultivating it in order to enjoy its fruits; by obtaining control of the objects which it contains; and by protecting it and defending it from its enemies as the common duty of all. These things, however, are the particular duty of knights, whom the ancients called defenders: first, because they are of higher rank; second, because they are especially appointed to defend the country and aggrandize it. . . .

LAW I: FOR WHAT REASONS KNIGHTHOOD AND KNIGHTS ARE
SO NAMED

The organization of noblemen appointed to defend the country was formerly called the assembly of the knights. On this account it received the Latin name *militia*, which means bodies of seasoned and powerful men, chosen to endure hardship and misfortune by laboring and suffering for the benefit of the common good. The reason for deriving this name from the numeral one thousand is that, in ancient times, one man out of a thousand was selected to be made a knight. Knights are called *caballeros* in Spain, not merely because they ride on horses but also because, just as those who go on horseback travel in a more honorable way than on any other animal, those who are chosen to be knights occupy a more distinguished rank than all other defenders. . . .

LAW II: HOW KNIGHTS SHOULD BE SELECTED

The number one thousand is the most honorable one possible, for, as the number ten is the most honorable figure of those which begin with one, and the figure hundred among the tens, so of the hundreds the greatest is one thousand, because all others are contained in it. If we proceed further, no other number can be found which exists independently by itself without necessarily returning to be indicated by the others, which, as we have stated, were in-

cluded in the number one thousand; and therefore one man out of a thousand was chosen to be created a knight, as we have stated in the preceding law. In the selection of knights care was taken that they be men who possessed three personal qualities. First, they were required to be capable of endurance, in order to survive the great privation and labor which they would encounter in war and battle. Second, they had to be practiced in the use of weapons, so that they might better know how to conquer and kill their enemies and not be easily fatigued in doing so. Third, they were required to be pitiless, so that they would show no mercy while robbing their enemies or wounding or killing them and, in addition, not be readily dismayed by any blow which they might receive or inflict upon others.

For these reasons, when creating knights the ancients selected mountain hunters, who are men that can endure great hardships, and carpenters and blacksmiths and stonecutters, because they are accustomed to strike blows and have powerful hands. They also chose butchers, because they were used to killing living animals and spilling their blood. They observed another thing in their choice, and that is that knights should be well-built physically in order that they be strong, powerful and active.

The ancients practiced this manner of selection for a long period of time, but afterwards saw that such men very frequently had no sense of shame and forgot all the above-named duties and, instead of conquering their enemies, were themselves defeated; and so those who were skilled in these matters deemed it proper that men should be appointed who were naturally susceptible to shame. A wise man, named Vegetius, while discussing this subject, said concerning the order of knighthood: "That shame prevents a knight from taking to flight in battle and for that reason it enables him to conquer"; for it was believed that a man who was weak but had power of endurance had better means for escape than one who was strong and active. On this account care was taken that knights should above all things be of distinguished lineage so that they might avoid doing anything through which they might suffer humiliation. Since they were chosen from good landed families they were called *hidalgos*, which means sons of quality. In some other places they are called gentlemen, a name derived from gentility, which signifies a nobility of spirit, because gentlemen were noble and good men and lived in a more orderly fashion than other people. This attribute of gentility they possessed in three ways: first, through their lineage; second, through their knowledge; third, through the superiority of their warlike prowess, habits and manners. Although those who are entitled to this because of their knowledge and excellence are justly called nobles and gentlemen, those who possess it through their ancient lineage and who lead good lives enjoy it especially—for it de-

scends to them from a distance like an inheritance. For this reason they are more bound to act as is fitting and to avoid faults and improprieties, since, when they perform the latter, not only they themselves but also those from whom they are descended suffer injury and shame. For this reason, knights should be chosen who are descended in a direct line from father and grandfather as far as the fourth degree, which is that of great-grandfather. The ancients deemed this to be proper since beyond that point men could not remember; the further back, however, that their lineage can be traced, so much more do they increase in honor and nobility.

LAW IV: KNIGHTS SHOULD POSSESS FOUR CHIEF VIRTUES

Excellent qualities which men possess naturally are called good habits and are styled *virtutes* in Latin. Four of these are superior, namely, prudence, fortitude, temperance and justice. Although every man who desires to be good should endeavor to acquire these virtues . . . among them there are none to whom this is more proper than to the defenders, since it is their duty to protect Church, monarchs and all others. Prudence will enable them to do this to their advantage and without injury; fortitude will cause them to be firm and not irresolute in what they do; moderation will induce them to perform their duties as they should and not be guilty of excess; and justice will enable them to act according to the right. For this reason the ancients, by way of commemoration, caused arms of four kinds to be made for the knights: first, such as they put on their bodies and feet; second, those with which they gird themselves; third, those which they bear in front of them; fourth, those with which they strike. Although these are of many forms, nevertheless they are all designed for two purposes: some for the protection of the body, which are called armor, others for inflicting blows, which are called weapons. Since the defenders did not ordinarily possess these weapons and, even if they had them, might not always be able to carry them, the ancients deemed it proper to contrive one which should be emblematic of all these, and this is the sword. For, as the arms which men put on for the purpose of defense indicate prudence, which is a virtue that protects them from all evils which can come upon them through their own fault, so the hilt of a sword which a man holds in his grasp is also suggestive of this, for as long as he holds it, he has the power to raise or lower it, or strike with it or abandon it; and as the arms which a man carries before him to defend himself denote fortitude, which is a virtue that renders him steadfast in the midst of dangers which may come upon him, so all the fortitude of the sword lies in its pommel, for to it is attached the hilt, the guard and the blade.

Since the armor which a man girds on is intermediate between that with

which he is clothed and the weapons with which he strikes, and thus resembles the virtue of moderation between things which are excessive and those which are less than they should be, with great similarity to this the guard is placed between the handle and the blade of the sword. Furthermore, as the arms which a man holds ready to strike with, whenever it is advisable, symbolize justice, which includes right and equality, so the blade of the sword, which is straight and sharp and cuts the same with both edges, represents the same thing. On account of all this the ancients ordained that noble defenders should always wear the sword, and that by means of it and with no other weapon they should receive the honor of knighthood, in order that they might always be reminded of the four virtues which they should possess; for, without them, they could not perfectly maintain the condition of defense for which they were appointed.

LAW V: DEFENDERS SHOULD BE INTELLIGENT

There are still other excellent qualities, in addition to those we mentioned in the preceding law, which knights should possess. One of these is that they be intelligent. For intelligence is the one thing in the world which best directs a man to be accomplished in his actions, and which causes him to differ most from other creatures. For this reason the knights who have to defend themselves and others, as we have stated, should be intelligent. For if they are not so, they will fail in the duties which they are required to perform, because ignorance will prevent them from showing their power against those whom they should acquaint with it; and, on the other hand, it will make them treat those badly whom they are bound to protect. Moreover, it will cause them to be cruel toward those to whom they should show pity, and merciful when they should be relentless; and will induce them to commit a still greater offense which could lead to disloyalty, for it may make them love those whom they should hate and hate those whom they should love. It may also make them bold where they should not be so and weak where they should have courage, and cause them to covet what they should not possess and forget what they ought to covet; and, in this way, ignorance will cause them to err in everything which they have to do.

LAW VII: KNIGHTS SHOULD BE WELL MANNERED

When *hidalgos* practice things which are of a contrary nature, it causes them in the end to acquire good habits. This signifies that on the one hand they may be powerful and brave, and on the other gentle and humble. For as it becomes them to use strong and bold language in order to frighten their enemies and cause them to retire when they are among them, they should also

have quiet and unassuming manners, in order to allure and attract those who are with them, and be courteous to them in both word and deed, for it is natural that he who uses kindness when it is not suitable will afterwards experience the want of it when he most needs it.

LAW VIII: KNIGHTS SHOULD BE DEXTEROUS AND ASTUTE

Knights should be dexterous and cunning, and these are two qualities that are good for them to have, for, just as dexterity makes them better acquainted with what they have to perform with their hands, so shrewdness causes them to seek ways to accomplish better and with more safety what they desire. For this reason these two things agree thoroughly in one respect, that dexterity enables men to arm themselves well and handsomely and also to assist one another, to handle every kind of weapon and to be good and swift horsemen, while astuteness enables them to overcome many with few and to escape from great danger when they encounter it.

LAW IX: KNIGHTS SHOULD BE VERY LOYAL

It is proper that knights should be in every respect loyal, for this is an excellent quality in which all other good practices are perfected and included, for it is, as it were, the mother of all of them; and although all men should without exception possess it, loyalty is especially proper for knights for three reasons given by the ancients. The first is that they are appointed for the protection and defense of all persons, and those who are not loyal cannot be good guardians; second, that they are to preserve the honor of their lineage, which they will not do when they are deficient in loyalty; third, that they may be prevented from doing anything of which they may be ashamed and to which, more than anything else, those who are disloyal are liable. . . .

LAW XVIII: HOW KNIGHTS SHOULD BE CLOTHED

The ancients established the rule that knights should wear clothes of colored cloth so long as they were young, as, for instance, red, yellow, green or purple, because these gave them an appearance of cheerfulness; but they did not deem it proper for them to wear black, gray or any other drab color which might impart to them an appearance of sadness. They did this in order that their dress might be elegant, and that they might be cheerful and their hearts be emboldened, rendering them more valiant. Although their clothes might be cut in many ways according to the different customs and practices of the country, all were required to make and wear their cloaks in the following manner; namely, they should be cut wide and long, and cover them as far as their feet, and enough cloth should be taken from both sides for a knot to be made above

the left shoulder, contrived in such a way that the head could be inserted and withdrawn without hindrance. This was called the knightly cloak, and it was given this name because no other man but a knight had a right to wear it in this manner. The cloak was cut after this pattern as a sign that knights should be covered with humility, in order to obey their superiors. The knot was used because it represents, as it were, the tie of religion and admonishes them to be obedient, not only to their lords but also to their commanders. For this reason they wore the cloak not only while they ate and drank, but also while they sat, walked and rode. All their other clothing was clean and very elegant, each wearing what was prescribed by the custom of his locality. They did this in order that whoever saw them might be able to distinguish them from other people so as to show them honor. They established the same regulation with regard to armor that they did concerning the weapons which they bore, that is, that it should be handsome and richly adorned.

LAW XIX: KNIGHTS SHOULD BE TEMPERATE IN FOOD, DRINK AND SLEEP

Eating, drinking and sleeping are natural activities without which men cannot exist. Knights should indulge in them, however, in three ways: first, according to the time; second, with moderation; third, with propriety. Knights were formerly quite accustomed to observe these conditions, for, as in time of peace it was their practice to eat at appointed times so that they could go to the table twice a day and eat good, well-cooked and commonplace food, so also when they went to war they ate but once in the morning and very little, and took their principal meal in the evening. This was done for the reason that they might not be very hungry or very thirsty, and that if they should be wounded they might be more readily cured. In those times they were given coarse and strong meat abounding in fat in order that they might eat but little of it and that it might greatly benefit them and make their flesh strong and hard. They were also given to drink weak wine mixed with much water so that it might not interfere with their understanding or their prudence. When fever was prevalent they were given a little vinegar mixed with much water to quench their thirst and prevent the fever from attacking them and making them ill; and this they drank during the day when they were very thirsty in order to lengthen their lives and improve their health and preserve the latter by not eating and drinking too much.

In addition to all this they derived another great benefit since their daily expenses were lessened, so that they could better accomplish daring deeds, which is something very proper for those whose duty it is to make war. In addition, they were trained not to be heavy sleepers, because this is very injurious to such as have important duties to perform, and especially so to knights who

are engaged in hostilities. For this reason, just as they were permitted in time of peace to wear soft and smooth linen when they took their rest, so in time of war they were not permitted to lie down except in scanty and coarse cloth or in their pourpoints. This was done in order that they might sleep less and be accustomed to the endurance of hardship, for it was maintained that no vice which they might have would offset their being victorious.

LAW XXIII: IN WHAT WAY KNIGHTS SHOULD BE HONORED

Knights should be greatly honored, and there are three reasons for this: first, on account of the nobility of their descent; second, on account of their excellent qualities; third, on account of the benefits of which they are the source. Kings should honor them as persons through whom they must act by protecting and honoring themselves along with them and by contributing to their power and their distinction. All others together should show them honor, because they are to them as a shield and a defense and for their protection have to encounter all dangers which arise. Since knights expose themselves to many forms of peril in order to perform the aforesaid acts, they should be respected in many ways. Hence no one should be in front of them in church when they are present at services, except the prelates and other priests who conduct them or kings or great lords whom they are obliged to obey and serve. Nor should anyone else take precedence of them in making an offering or in receiving the salute of peace; nor while they are at their meals should any squire or any other person except a knight, or some man who merits it on account of his rank or his excellent qualities, sit down with them; nor ought anyone but a knight or some other eminent man use abusive language to them. They should, moreover, be honored in their own houses, and no one should enter them with violence except by command of the king or by order of a court in cases where they have deserved it; nor should their horses or arms be taken in execution, where any other movable or immovable can be found liable to seizure. And, although nothing else may be found for this purpose, their war-horses should not be taken or they be compelled to dismount while they are riding other animals; nor should their houses be entered for the purpose of making a levy while they or their wives are there. There are special cases, however, in which they can appoint a certain time within which to leave their houses and surrender them and their contents.

The ancients also attached so much importance to the honor of knights that they avoided seizing property not only where they and their wives were but also where their cloaks and shields were found. They conferred upon them another mark of distinction, for wherever men met knights they humbled themselves before them, and it is still customary in Spain in our day to say to

good and eminent men: "We humble ourselves." After a knight has been created he is entitled to still another honor, for he is eligible to the dignity of emperor or king, which he was not before, just as no priest can be a bishop if he has not previously been ordained to say Mass.

LAW XXIV: WHAT SUPERIORITY KNIGHTS HAVE APART FROM OTHER MEN

Knights are, above other men, entitled to recognized and separate marks of honor, not only in those matters mentioned in the preceding law, but also in others which we shall state here. . . . [When] a knight is prosecuted for an offense which he has committed, although such indications or suspicions may arise against him which, in the case of another man, would cause him to be tortured, the knight should not be put to torture except for an act of treason which concerns the king whose subject or vassal he is, or the kingdom in which he lives by reason of the privilege of birth which he there enjoys. We also decree that even though the crime were proved against him, he ought not to suffer an ignominious death, as for instance being dragged, hanged or mutilated. He should, instead, be decapitated according to law or starved to death when it is desired to manifest great severity against him on account of some offense of which he is guilty.

The ancients of Spain, when knights employed themselves in stealing or robbing others of their property or committed perfidy or treason (which are deeds which render men vile in heart and deprive them of goodness) and were convicted of such serious offenses, ordered that they be thrown down from some lofty place to be dashed to pieces, or drowned in the sea or in some other body of water so as never to be seen again, or delivered up as a prey to wild beasts. . . .

LAW XXV: WHY AND HOW KNIGHTS LOSE THE HONOR OF KNIGHTHOOD

For knights to forfeit the honor of knighthood by their own fault is the greatest degradation which they can undergo. The ancients, however, considered that this could justly happen in two ways: first, when they were merely deprived of the order of knighthood with no corporal punishment inflicted upon them; second, when they committed such offenses as to deserve death. In the latter instance they should be deprived of knighthood before being executed. The reasons for which they can be deprived of knighthood are the following: for instance, when a knight is with the army or on the frontier by command of his lord and sells or disposes of his horse or his arms, or loses them while throwing dice, or gives them away to prostitutes, or leaves them in pledge

in some drinking house, or steals those of his companions or has them stolen, or when he knowingly makes a man a knight when he does not deserve it, or when he engages openly in trade, or labors with his hands in any vile employment to obtain money when he is not a captive.

The other reasons for which he should lose the honor of knighthood before he is put to death are as follows: for instance, when a knight flees in the battlefield, or abandons his lord or castle or any other place under his command, when he sees his lord taken prisoner or killed and does not hasten to his assistance, or does not provide him with a horse if his own is killed, or does not liberate him from prison in any way he can when able to do so. Although sentence must be executed for these reasons and for others which relate to perfidy or treason, he must nevertheless be degraded before he is put to death. He must be deprived of knighthood in the following manner, namely: the king should order a squire to put on his spurs and gird on his sword and cut his baldric with a knife at the shoulder and also to cut the straps of his spurs while he is still wearing them. After this is done he should no longer be called a knight, and he loses the honor and the privileges of knighthood; and he may not be appointed to any office for the king or the Council; nor has he the right to accuse or challenge any knight.

*Partida I, Title V (On the Prelates of the Holy
Church, whose Duty it is to Expound the Faith
and Administer the Sacraments)*

**LAW I: WHAT "BISHOP" MEANS AND WHAT POSITIONS PRELATES
OCCUPY IN THE HOLY CHURCH**

"Prelate" means a person of high rank in the Holy Church, and the most honored of these are the bishops, for while there is the pope and there are patriarchs, archbishops and primates . . . nevertheless all these are bishops, although they may have other names. A bishop means a keeper. For without doubt they are appointed to guard the Catholic Faith, since they occupy the place of the Apostles and have the same power which Our Lord Jesus Christ conferred upon the latter when he said to them: "What you bind on earth shall be bound in heaven, and what you loose on earth shall be loosed in heaven." These are, as it were, the pillars of the Holy Church, by means of which the Faith is sustained, for they more than other prelates are required to preach and expound it to the people and to defend it by argument against heretics and all such as desire to oppose it. . . .

Thus we should consider bishops as saints and obey and honor them as persons who occupy the place of the Apostles.

**LAW XXIX: WHAT PRELATES SHOULD DO AFTER RECEIVING
CONSECRATION**

Bishops and other prelates of higher rank must immediately return to their churches after being consecrated and should not leave their churches or their bishoprics to go to another country without good reason. When under such circumstances they are compelled to go, they must do so with the permission of their superior and must not remain away from their bishoprics more than a year. If they should do so their revenues should not be sent to them, unless they stay at the court of Rome by command of the pope. None of them must contract debts of an amount greater than the annual incomes which they derive from their bishoprics. This is because, while dwelling there, they may incur greater debt than their churches can pay off. In such a case the latter would fall into great poverty, and for a long time could not regain the condition in which they formerly were, and sometimes churches are ruined in this fashion. From this source four evils arise. The first results in the dishonor of the Holy Church, when the bishop goes about like a beggar. The second arises because, on account of his poverty, the bishop is forced to dismiss his priests, not only those of his own church but the others throughout his bishopric, and this is done many times unjustly. The third, because the people are injured, for those who are the vassals of the church are taxed more than they should be, and others receive less property and fewer honors than they are entitled to from the church, as well as fewer emoluments, such as those obtained from the devotions, burials and other graces, which can be forbidden by interdict or excommunication. The fourth, because there occurs disparagement of the Church of Rome and of the kings and lords of the land, since they cannot receive from the prelates those rights and honors which are due them, and, in addition, they are forced at times to pay out their own money to discharge the debts of the churches. . . .

**LAW XXX: WHAT QUALIFICATIONS THOSE ELECTED BISHOPS
MUST ESPECIALLY POSSESS**

The Apostle St. Paul established the rule governing ordination, in which he stated what habits and qualifications a prelate of superior rank must possess in order to be eligible. He held that since this man had been elected by the choice of God it was necessary that he should surpass all other men in excellence. The rule which he established declares that such a one must be without mortal sin, have no impediment by reason of marriage, must be temperate in eating and drinking, wise, chaste, polite, hospitable, competent to explain the

faith, not quarrelsome, violent or avaricious, and know how to keep his church in order.

LAW XXXI: HOW THE AUTHORITIES OF THE CHURCH UNDERSTAND
THE SPEECH OF ST. PAUL, THAT ONE WHO IS ELECTED BISHOP
SHOULD BE WITHOUT MORTAL SIN

Some authorities disagree concerning the meaning of St. Paul when he says that he whom they desire to ordain bishop should be without mortal sin. There are some who declare that a man who commits mortal sin after having received baptism should not be elected bishop, and that if he should be elected it would be sinful and he should be deposed; and that if after his ordination he should perform the services of the order which he had received under these circumstances, then he would also commit sin, and even though he might have performed penance for that sin, it would, unless the Pope had given him his consent, be considered an impediment. These persons take the saying of the Apostle in a literal sense. Such an interpretation, however, is unreasonable, for according to it no one could be found eligible to be a bishop. It would be very extraordinary, and decidedly contrary to nature, to find a man who had never committed sin, and for this reason what the apostle says should not be interpreted in this way. . . .

LAW XXXII: WHAT IS THE TRUE MEANING ACCORDING TO THE HOLY
CHURCH OF WHAT ST. PAUL SAID RELATING TO MORTAL SIN

Some understood the speech of St. Paul truly and reasonably, and for this reason made distinctions between very heinous sins, those which are moderate and those which are of inferior importance by stating how many kinds there were, as will be explained below. They declared that anyone who had committed a heinous sin before he became a bishop, whether secretly or openly, could not afterwards become a bishop even though he had confessed it. They stated in addition that if the sin were known and the bishop were afterwards elected and ordained, he should be deposed. They came to this conclusion because a sin which is openly committed is much bolder and sets a bad example for other men. But if the sin were concealed—notwithstanding that his superior could, after learning of it, have admonished him as the representative of God and even punished him, declaring that he must not attempt to obtain the bishopric to which he had been elected—the superior still could not of himself hinder or depose him, for the reason that only he knew of the commission of the sin. If he had committed only a moderate sin which became publicly known—through the judgment rendered against him or by reason of the knowledge

that the complaint had been made or for fear that it would be proved, or because the deed had been so notorious that it could not have been concealed in any way—such a person should not be elected and, if elected, should be deposed. When, however, the sin had become public through common rumor and could not be proved, or if the party should be accused and the accusation could not be established by evidence—if such indications should exist and give rise to suspicions, then he must be ordered to prove his innocence, according to the will of his superior.

LAW XXXVI: PRELATES MUST BE TEMPERATE IN EATING AND DRINKING

One who is elected to offices of high ecclesiastical rank should be temperate in eating and drinking, having a care not to eat immoderately or drink so as to become intoxicated, since this is one of the greatest sins of which he can be guilty, for because of it man fails to recognize God, himself and all other things as well, more than in the case of any other sin. As the ancient sages declared, wine is the way which leads men to all sins. For this reason intemperance is the first thing that should be forbidden to a prelate, for it is necessary that one who must give advice to many people should always have a clear and functioning brain. Therefore if one of them, after he has been reprimanded for this error, should not be willing to reform, his superior must deprive him of his office and benefices. Moreover, eating too much is forbidden to every man, and especially to the prelate, because chastity cannot be easily preserved where there is inordinate indulgence in food and great excesses prevail. For this reason the saints declared that it is not proper that those whose duty it is to preach poverty and the hardships which Our Lord Jesus Christ suffered for us in this world should do so with faces that are red from eating and drinking to excess. Leaving this out of consideration, serious illnesses—in consequence of which men die before their time or perish from the result of some injury—naturally result from immoderate eating.

LAW XXXVII: CONCERNING MATTERS WHICH PRELATES SHOULD UNDERSTAND

A prelate should be well informed and intelligent, and especially so in these three things: first, in the Faith, so that he may know how to instruct the souls which are given unto his care to be saved, and for this reason he must understand the science of Divinity; second, he must be acquainted with those branches of knowledge called arts; and with four of them especially, namely, grammar, which is the art of learning the Latin language; and logic, which explains how to distinguish truth from falsehood; and rhetoric, which is a science that explains how to arrange words elegantly and properly; and also

music, which is the knowledge of notes necessary for the chants of Holy Church. . . . As for the other branches of knowledge,¹ the Holy Fathers did not consider it advisable that prelates should endeavor to know much about them. Although these branches of knowledge are noble and very excellent, still in themselves they are not suitable for churchmen, for they do not induce them to perform works of piety, as, for instance, preaching and hearing confessions and other things of this kind which they are required to do by virtue of their office. The third thing that prelates should be acquainted with relates to temporal matters and is the knowledge of governing their bishoprics properly and keeping their houses in order.

LAW XXXIX: PRELATES SHOULD BE REFINED

The Holy Church requires prelates to be refined, and in two ways: first, with regard to themselves, second, in their relations with others. As to what concerns themselves, this is divided into two things, good thoughts and good habits. That which concerns their relations with others is divided into four things, namely: eating and drinking, as has been mentioned above, and the matter of dress and manners. By dress many things are understood, as, for instance, they must wear their garments long and not short, with sleeves which are not sewed, and shoes without strings. They must not use gilt bridles, saddles or suspended or gilt breast-leathers or gilded spurs or other things indicative of pomp, or wear cloaks with sleeves, unless they change their dress through fear. Nor should they wear jewels or belts with gilded buckles. The Holy Church also deemed it proper that they should not go without the Roman surplice over their other garments, unless they had formerly been friars or monks, for the latter cannot lay aside their habit. They should also wear their robes buttoned or fastened in front as a sign of chastity, but this they must do so as not to display hypocrisy. Moreover, they should have broad tonsures and wear their hair so short that their ears can be seen. This was established as a token of the kingdom of God, which they hope to attain and where, if they perform their duties as they should, they will be crowned. For just as kings must govern men in temporal matters, so must churchmen in spiritual matters, and for this reason the Church calls them rectors. From their shaven crowns it is understood that they must remove their minds from the pleasures of this world, abandon temporal affairs and consider themselves sufficiently provided for if they have food to eat and clothes to wear. They should also be refined in their behavior, conducting themselves properly and modestly, as befits them. The outward behavior and comportment that men exhibit in their deeds naturally make clear their desires and achievements.

¹ [Geometry, arithmetic, and astronomy.]

LAW XLI: HOW PRELATES SHOULD PREACH AND EXPLAIN THE FAITH

Churchmen of superior rank should be expounders and preachers of the religion of Our Lord Jesus Christ, as they occupy the place of the Apostles. Their instruction and preaching should be of two kinds: one of words, the other of deeds, because the Scriptures of Our Lord Jesus Christ declare that He first began to act and afterwards to teach. This agrees also with what St. Jerome said, namely: that the wolves should be frightened away by the barking of the dogs and the staff of the shepherd. By barking is understood preaching, which arouses fear through speech, and by the staff the punishment which results from the good works which prelates themselves do and exhort others to do. Punishment by deed, however, should be imposed with moderation and great prudence, and with love and not ill will, in order that men may understand that it issues from a love of God and that they are chastised so that they may obtain good and not so that they may be done harm. Prelates should not despise men on account of the sins they commit nor do them injury on that account, but should rescue them from their sins as far as they can; for true justice should be administered with sorrow and for lawful reasons, just as injustice is inflicted rudely and without right.

LAW XLII: WHAT QUALIFICATIONS A PRELATE SHOULD POSSESS IN ORDER TO PREACH AND EXPOUND THE FAITH PROPERLY

A prelate should preach to the people of his bishopric, to priests as well as laymen. . . . Preaching must be done in one of the following ways, namely: either by explaining how the people may know and understand the belief in the Faith and how to avoid committing sin after they have understood it, or by explaining how they can perform penance for their sins after they have committed them. In order to do this properly, one who preaches must possess three qualifications: first, charity, which means the love of God, more than anything else, and love for his neighbor as for himself; second, he must lead a good life; third, he must preach well. . . . He who preaches well and lives an evil life shows the way to God in a manner to cause injury, and offers an example of sin to those who hear him. A preacher of this kind may be compared to ashes from which lye oozes and washes other things while the ashes themselves remain unclean. He may also be compared to a stone aqueduct through which clear and clean waters flow, by means of which the land is irrigated and the plains are made to bring forth crops but which do no good to the stone nor soften it, the stone remaining as rough and hard as it was before. He may also be compared to a lighted taper which burns itself up and lights others but receives no benefit from its own brightness. . . .

LAW XLVI: WHICH SAYS THAT PRELATES SHOULD NOT PREACH THE
MYSTERIES OF THE FAITH TO HERETICS, OR TO THOSE INCAPABLE
OF UNDERSTANDING

Although they ought to preach to heretics, there are mysteries in the Christian religion which prelates should not explain to them—that is, unless they perceive certain signs that the heretics are desirous of being converted by this means from their errors. Even then, they should not teach those things to them except with great caution. For as the Gospel says: “Precious stones should not be cast before swine,” which means that the secrets of our religion should not be taught to heretics or to men without intelligence, because they are more ready to condemn than to believe them. If they should act in such a way, however, that the prelates are compelled to enter into discussion with them, the prelates must show them their errors, reproving them with moderation, exchanging statements and speaking such words that they may be persuaded to give up their beliefs in these matters, doing all this without arguing about the secrets of our Holy Catholic Faith. To make no answer to what heretics say would indicate that the prelates are silent because they have no arguments with which to defend themselves; other Christians might happen to be present who would fall in doubt because of this, not understanding why the prelates kept silent. It is for this reason that prelates should not argue with heretics publicly, for men without intelligence might fall into great errors by hearing such debates, because heretics pay no attention to anything but denunciation of our Creed, and they attempt as much injury to it as can be done deceitfully by uttering many artful and witty speeches to deceive ignorant men.

LAW LXV: WHAT SUPERIORITY IN DIGNITY PRELATES HAVE OVER
OTHER PRIESTS

Prelates, through the dignity of the Holy Church, have superiority over other priests in seven respects. First, upon the day that they are made bishops the power of their confessors, or of any other superior which exists if they belonged to any religious order, ceases to exist. Second, they cannot be appointed the guardians of orphans. Third, if the prelate was a slave or the vassal of some noble family, or is descended from any of these, he will for the future be free, and no one can again reduce him to servitude or cause him to render to his lord the service which he formerly was bound to perform. If, however, he was an official of the court of the king and among those required to render accounts, he is still not free because of the above reason, unless he surrenders three-fourths of his possessions at the time he was elected. Fourth, he cannot

be compelled to testify before any judge or anywhere else if he does not wish to do so, but he must inform a judge that he will tell the truth, as far as he knows it, in the way stated in the Title on witnesses. Fifth, he is not required to attend nor can he be compelled to appear in person in a lawsuit before any secular judge, unless the king commands him to appear before him. Sixth, he cannot be compelled to give security in any lawsuit. Seventh, he must not give anything to the judges out of the property concerning which the lawsuit arose, as other men do. . . .

**LAW LXVI: ALL CHRISTIANS, IN WORD AND DEED, MUST OBEY THE
WILL OF PATRIARCHS, PRIMATES, ARCHBISHOPS AND BISHOPS**

Patriarchs, primates, archbishops and bishops deserve to be honored and respected on account of the positions which they occupy, concerning which we have already spoken in preceding laws. This honor should be manifested in three ways: first, in thought, second, in word, third, in deed. In thought, it should be believed that prelates occupy the places of the Apostles, as stated above, and that they are intermediaries between God and the people and pray for the latter, and that their prayers will be heard with respect to such things as they ask for with justice; for thus Our Lord Jesus Christ spoke to the Apostles: "What you ask of me in prayer believe that I will grant it to you, and that you will obtain it." The honor due by word is that prelates should be called lords, because of the honorable positions of the Apostles which they fill, as has been stated, and because they are guardians of the soul. The honor in deed to which they are entitled is that persons should rise in their presence and receive them kindly and show them reverence in other things, according to the customs of the country.

THE GOLIARD POETS

THE MIDDLE AGES were not all manorial drudgery and monastic piety. The rise of the universities, accompanied by a revived interest in the pagan Latin classics, resulted in the twelfth century in a great burst of intellectual and creative activity which has earned for that epoch in the view of modern scholars the appellation of Twelfth-Century Renaissance. A part of that new and essentially secular spirit was expressed in the sudden flowering of vernacular literatures all over Europe. Latin literature also shared in the renaissance. Alongside imitations of the ancient poetry of Ovid and Horace, there developed a new Latin devotional poetry, of which the most famous example is the awesome *Dies Irae* (*Day of Wrath*), still sung today in the Mass for the dead and set to new music by generation after generation of composers. A third variety of Latin lyric appeared too, expressing a revived paganism in its tributes to the glories of nature and to the urges of the flesh. The writers of this type of poem were known to their time as Goliards, or men of the tribe of Goliath. Whatever the origin of the term, its implication was clear. In the Latin of the Vulgate Goliath is Goliath, and the brutal enemy of David, the ancestor of Jesus, was to medieval eyes a sort of Antichrist. The writers of the poems rejoiced in the name, for they spoke in behalf of youth and pleasure and were the enemies of sobriety, propriety, and piety. Their output was varied. They wrote parodies of religious literature, irreverent, blasphemous, sometimes obscene—a *Drunkard's Mass*, an *Office of the Ribalds*, a *Glutton's Mass*. Their poetry is filled with mocking allusion to the most sacred solemnities: a *Credo* in which the poet professes, "I believe in dice . . . and love the tavern more than Jesus"; a benediction, "Fraud be with you." They wrote serious satire too, excoriating the greed and corruption of the clergy and the shortcomings of monastics. Occasionally they even blackslid into original and sincere religious lyrics of their own. Most characteristic of their work, however, was the joyous lyric, extolling the pleasures of a world in which the month is May, filled with flowers and blooming girls all ready to "Quench the burning of my yearning ere I lose my life," and in which every turn of the lane reveals an inn where good fellowship, wine in profusion, and the excitements of gambling are to be found.

The men who wrote these poems are in some instances known to us but are more frequently anonymous. Yet we know what they were, for by the beginning of the thirteenth century they had become a serious enough problem to be dealt with as a threat to authority as well as to decorum. The Church councils of the period contain frequent directions for their suppression, and they are often alluded to with distaste or severe censure in the moral writings of the time. They were the educated misfits of their age, young men who, destined for careers in the Church, had seen a bit of the world on their way to attend one of the famous universities and been captivated by the sight; who took their learning from one university to another, wandering about Europe, reveling in their youth, living by their wits, occasionally on the lookout for a wealthy ecclesiastic who might be

their patron and for whose delectation they would be prepared to produce poetry of a sort more acceptable than their usual efforts.

The attempts to suppress the Goliards seem to have been successful, for by the fourteenth century they had ceased to exist except as a name of reproach. While they lasted, however, they succeeded in infecting European letters with a taste for secular pursuits and carnal pleasures, and they pointed ahead toward the later, greater Renaissance.

The "Song of the Vagrant Order" is an impudent Goliardic invention in which the rules and customs of a fanciful, very unmonastic Order of Goliards are set forth. The translation is from *The Goliard Poets* (Norfolk, New Directions; copyright 1949 by George F. Whicher) and is here reprinted by kind permission of the publisher and of the translator, Professor Whicher.



SONG OF THE VAGRANT ORDER

When through all the realms of earth
 "Go ye out" resounded,
 Priests began to gad about,
 Monks with rapture bounded,
 Deacons from the Evangels rose,
 Weary of redundancy—
 One and all our order join,
 Seeking life's abundance.

In our order it is writ:
 "Take all things and try them,
 Seek for the best things of life,
 See you profit by them.
 Wicked priests must rouse your zeal,
 Be their stern despisers
 If when you demand a dole
 They behave like misers."

Austrians, Bavarians,
 Saxons, ay, and Mark-men,
 Good companions as ye are,
 I entreat ye, hark, men!
 Hear these new decretals, then,
 Be their staunch defenders:

Death to penny-pinching men
 And not liberal spenders.

We ourselves are fountains where
 Bounty never stagnates,
 Since we welcome to our ranks
 Lesser men and magnates;
 We relieve the rich of care,
 Give the poor a fresh hold,
 Lazars such as godly monks
 Banish from their threshold.

We receive the shaven skull
 Gladly as the hairy,
 When a priest clopes or monk
 Bolts the monastery;
 Boys from school and masters too,
 Parsons, clerks—we're flattered!
 But your scholar is our prize,
 Clad in robes untattered.

Righteous or unrighteous, we
 our corps enlist them,
 lame and feeble, brave and strong,

All alike subsist them;
 Some are in the flower of youth,
 Some with age are stricken,
 Some are cold of heart, and some,
 Warmed by Venus, quicken.

Warmongers and pacifists,
 Mild men and demonic,
 Roman and Bohemian,
 Slavic and Teutonic:
 Men of medium size we take,
 Likewise dwarfs and giants,
 Humble folk, and those who still
 Bid the gods defiance.

Truly then our order ranks
 As a sect or nation,
 Since so many kinds of men
 Find here a vocation.
Hic, haec, hoc, he, she, and it,
 Here can take their places,
 Hospitality like ours
 Joins all creeds and races.

Of the vagrant order's laws
 These are fundamental:
 Generous must we be in life,
 In demeanor gentle;
 Also we must love a roast,
 Dripping unctuous juices,
 More than pecks of barley-meal
 Fit for a hermit's uses.

Matins next our rule forbids,
 Fie on early waking!
 Eerie phantoms always prowling
 Just as day is breaking,
 Causing visions that entail
 Direful consequences;

He who rises with the dawn
 Hardly has his senses.

So our order interdicts
 Matins now and ever;
 When we rise, the chimney nook
 Claims our first endeavor,
 There let serve a bird with wine,
 Mixing pleasant prattle,
 We have nought to fear from fate
 Till the dice-cups rattle.

Last, our order interdicts
 All superfluous clothing;
 One who sports an overcoat
 We must view with loathing.
 Let him pledge his needless wrap
 At the shrine of Decius,
 Soon his vest will follow too—
 Dice are avaricious.

What I've said of outer clothes
 Holds as well of inner:
 Stake your drawers if you've a shirt—
 Courage makes a winner;
 Why, if boots go up the spout,
 For your socks be heedful?
 You will certainly be damned
 If you lack the needful.

None of us must leave an inn
 Till his hunger's sated,
 Let him beg a penny too
 If necessitated;
 There's a chance the small, despised
 Coin your needs importune
 May, if played by skillful hands,
 Swell into a fortune.

None must ever take the road
When the wind's contrary,
Nor present a doleful face
If his prospects vary.
Let him keep a cheerful heart,
Hopes are sure to brighten,
When the sky is darkest, then
It can only lighten.

Give to any folk you meet
Reasons for your questing,
As that men's peculiar ways
Seem in need of testing:
"Probity from pravity
Seeking to unravel,
Reprobates to reprobate,
That is why I travel."

MAGNA CARTA

THE PROCESS of royal centralization in England contradicted many assumptions and practices of feudalism. After the death of Henry II, the conservative baronage was certain in time to come to open conflict with the king and his advisers, who were often churchmen or "upstarts" of no family and reputation and so distrusted by the barons. The demands of the crusader king Richard I (1189-99) led to a further tightening of administrative procedures; the reign of John (1199-1216) saw a considerable consolidation of progress and a number of important legal and administrative reforms. But John's personality was unfortunate; he suffered the odium of losing the Continental holdings of Normandy and Anjou; he was extortionate and arbitrary in his demands. Distrusting the assumptions and ideals of feudalism and impatient of the limitations imposed by custom, John could with good reason be accused of undermining rights guaranteed by feudal law. Yet he was never deserted by the whole country; in the struggle with the barons John could count not only on the support of a number of distinguished nobles, but also on the loyalty of a majority of the towns which had profited greatly by his granting of charters. The barons, however, newly conscious of the common interests of their class and beginning to think of themselves as representatives of the nation, were determined that a stop should be put to royal aggression and to the consequent insecurity. Outmaneuvered and unable to satisfy his opponents by partial concessions, John was forced to set his seal to the Great Charter at Runnymede (on the Thames near Windsor) on June 19, 1215. Neither side trusted the other, and any sincerity in attempting to carry out the provisions and implications of the Charter soon evaporated. John was released from his obligations by Pope Innocent III, whose vassal he had become earlier out of purely political considerations. England was invaded by the son of Philip Augustus of France, Prince Louis, to whom the rebellious barons had offered the crown. But the virtual civil war was ended by the sudden death of John; and on the accession of the infant Henry III the royal advisers voluntarily accepted the major provisions of the Charter.

The Charter was reissued with changes in 1216, 1217, and 1225, and was frequently confirmed by kings in difficulties with a baronial opposition whose constitutional imagination seldom went beyond a demand for such reiteration. It very early came to be considered a fundamental law of the kingdom, and is the first entry in the *Statutes of the Realm*. But it is in no sense a revolutionary document. The important implication that the king is under law is simply a reflection of a fundamental assumption of medieval political thought and one inherent in the coronation oath and in earlier charters issued by William II and Henry I. To contemporaries, John's charter was unique only in size; hence its name, whatever significance the word "great" (*Magna*) may have acquired since.

Like most English constitutional documents, the Charter makes no statements of principle, but simply brings together a miscellaneous list of abuses to be corrected. Many of its provisions are concerned with the feudal "liberties" of the

barons, and to this extent it is reactionary. By making specific certain feudal obligations—such as aids and feudal incidents—which had formerly rested on custom, it forced the royal administrators into a circumscribed position from which they could escape only by the use of nonfeudal devices and procedures. As is often the case in history, an attempt to define a social structure was a major step in its destruction. But the Charter also accepts many of the reforms of the king, notably in the field of law, and a number of provisions look to the better governance of England, probably reflecting the influence of the moderate baronial party, who had had considerable experience in governing.

Later in the thirteenth century the kings began to make use of special enlarged sessions of their council, known as Parliaments, to handle knotty judicial problems, to receive petitions, and, incidentally, to grant money, although this purpose was by no means central to the concept of Parliament and might easily be taken care of in nonparliamentary assemblies. It was to control this new institution that the conservative opposition now turned its attention; and in the fourteenth century, when the king was either incompetent (like Edward II) or under the pressure of war needs (like Edward III), the baronage managed to establish themselves constitutionally in a way that Magna Carta, with its crude enforcement provisions, had never anticipated.

Not until the seventeenth century, however, does Parliament, and particularly the House of Commons, which seizes the initiative, seriously challenge the "fundamental and concentric" position of the king. Then the rapidly expanding and confident middle classes, exasperated by political, economic, and religious policies of the Stuart kings, asserted themselves. The Stuarts, contemptuous or ignorant of public opinion, and holding an exalted view of monarchy dedicated to the welfare of the whole nation, refused to compromise. The result was the fall of the kind of royal government through council which had characterized England for three hundred years and the eventual erection of a limited monarchy. In this seventeenth-century struggle Magna Carta was plundered by precedent-seeking lawyers such as Sir Edward Coke, who twisted its purely medieval provisions into liberal guarantees of trial by jury and parliamentary consent to taxation, notions which would have been utterly alien to the barons at Runnymede. Here is an excellent example of a document whose influence stems not from what it really meant, but from what people at a later date thought it meant. And today its importance in ordinary thought—"the palladium of English liberties"—is purely symbolic and without much relation to the specific circumstances and intentions in which it originated.

The translation of the Latin text has been taken from W. S. McKechnie, *Magna Carta* (Glasgow, J. Maclehose and Sons, 1914).



MAGNA CARTA

JOHN, by the grace of God, king of England, lord of Ireland, duke of Normandy and Aquitaine, and count of Anjou, to the archbishops, bishops, abbots,

earls, barons, justiciars, foresters, sheriffs, stewards, servants, and to all his bailiffs and liege subjects, greeting. Know that, having regard to God and for the salvation of our souls, and those of all our ancestors and heirs, and unto the honour of God and the advancement of holy Church, and for the reform of our realm, [we have granted as underwritten] by advice of our venerable fathers, Stephen, archbishop of Canterbury, primate of all England and cardinal of the holy Roman Church, Henry archbishop of Dublin, William of London, Peter of Winchester, Jocelyn of Bath and Glastonbury, Hugh of Lincoln, Walter of Worcester, William of Coventry, Benedict of Rochester, bishops; of master Pandulf, subdeacon and member of the household of our lord the Pope, of brother Aymeric, master of the Knights of the Temple in England, and of the illustrious men William Marshal, earl of Pembroke, William, earl of Salisbury, William, earl Warenne, William, earl of Arundel, Alan of Galloway, constable of Scotland, Waren Fitz Gerald, Peter Fitz Herbert, Hubert de Burgh, seneschal of Poitou, Hugh de Neville, Matthew Fitz Herbert, Thomas Basset, Alan Basset, Philip d'Aubigny, Robert of Roppesley, John Marshal, John Fitz Hugh, and others, our liegemen.

1. In the first place we have granted to God, and by this our present charter confirmed for us and our heirs for ever that the English church shall be free, and shall have her rights entire, and her liberties inviolate; and we will that it be thus observed; which is apparent from this that the freedom of elections, which is reckoned most important and very essential to the English church, we, of our pure and unconstrained will, did grant, and did by our charter confirm and did obtain the ratification of the same from our lord, Pope Innocent III, before the quarrel arose between us and our barons: and this we will observe, and our will is that it be observed in good faith by our heirs for ever. We have also granted to all freemen of our kingdom, for us and our heirs forever, all the underwritten liberties, to be had and held by them and their heirs, of us and our heirs forever.

2. If any of our earls or barons, or others holding of us in chief by military service shall have died, and at the time of his death his heir shall be full of age and owe "relief" he shall have his inheritance on payment of the ancient relief, namely the heir or heirs of an earl, £100 for a whole earl's barony; the heir or heirs of a baron, £100 for a whole barony; the heir or heirs of a knight, 100s. at most for a whole knight's fee; and whoever owes less let him give less, according to the ancient custom of fiefs.

3. If, however, the heir of any one of the aforesaid has been under age and in wardship, let him have his inheritance without relief and without fine when he comes of age.

4. The guardian of the land of an heir who is thus under age, shall take

from the land of the heir nothing but reasonable produce, reasonable customs, and reasonable services, and that without destruction or waste of men or goods; and if we have committed the wardship of the lands of any such minor to the sheriff, or to any other who is responsible to us for its issues, and he has made destruction or waste of what he holds in wardship, we will take of him amends, and the land shall be committed to two lawful and discreet men of that fee, who shall be responsible for the issues to us or to him to whom we shall assign them; and if we have given or sold the wardship of any such land to anyone and he has therein made destruction or waste, he shall lose that wardship, and it shall be transferred to two lawful and discreet men of that fief, who shall be responsible to us in like manner as aforesaid.

5. The guardian, moreover, so long as he has the wardship of the land, shall keep up the houses, parks, fishponds, stanks,¹ mills, and other things pertaining to the land, out of the issues of the same land; and he shall restore to the heir, when he has come to full age, all his land, stocked with ploughs and "waynage,"² according as the season of husbandry shall require, and the issues of the land can reasonably bear.

6. Heirs shall be married without disparagement, yet so that before the marriage takes place the nearest in blood to that heir shall have notice.³

7. A widow, after the death of her husband, shall forthwith and without difficulty have her marriage portion and inheritance; nor shall she give anything for her dower, or for her marriage portion, or for the inheritance which her husband and she held on the day of the death of that husband; and she may remain in the house of her husband for forty days after his death, within which time her dower shall be assigned to her.

8. No widow shall be compelled to marry, so long as she prefers to live without a husband; provided always that she gives security not to marry without our consent, if she holds of us, or without the consent of the lord of whom she holds, if she holds of another.

9. Neither we nor our bailiffs shall seize any land or rent for any debt, so long as the chattels of the debtor are sufficient to repay the debt; nor shall the sureties of the debtor be distrained so long as the principal debtor is able to satisfy the debt; and if the principal debtor shall fail to pay the debt, having nothing wherewith to pay it, then the sureties shall answer for the debt; and let them have the lands and rents of the debtor, if they desire them, until they are indemnified for the debt which they have paid for him, unless the principal debtor can show proof that he is discharged thereof as against the said sureties.

¹ [Other ponds, especially millponds.]

² [Meaning uncertain; probably, "tools."]

³ [Disparagement meant forced marriage with one not an equal. The king might regulate the marriage of his wards, but John had made a practice of selling female wards (with their estates) to favorites and others. Some took refuge in the veil.]

10. If one who has borrowed from the Jews any sum, great or small, die before that loan be repaid, the debt shall not bear interest while the heir is under age, of whomsoever he may hold; and if the debt fall into our hands, we will not take anything except the principal sum contained in the bond.

11. And if anyone die indebted to the Jews, his wife shall have her dower and pay nothing of that debt; and if any children of the deceased are left under age, necessaries shall be provided for them in keeping with the holding of the deceased; and out of the residue the debt shall be paid, reserving, however, service due to feudal lords; in like manner let it be done touching debts due to others than Jews.

12. No scutage nor aid shall be imposed on our kingdom, unless by common counsel of our kingdom, except for ransoming our person, for making our eldest son a knight, and for once marrying our eldest daughter; and for these there shall not be levied more than a reasonable aid.⁴ In like manner it shall be done concerning aids from the city of London.

13. And the city of London shall have all its ancient liberties and free customs, as well by land as by water; furthermore, we decree and grant that all other cities, boroughs, towns, and ports shall have all their liberties and free customs.⁵

14. And for obtaining the common counsel of the kingdom anent the assessing of an aid, except in the three cases aforesaid, or of a scutage, we will cause to be summoned the archbishops, bishops, abbots, earls, and greater barons, severally by our letters; and we will moreover cause to be summoned generally, through our sheriffs and bailiffs, all others who hold of us in chief, for a fixed date, namely, after the expiry of at least forty days, and at a fixed place; and in all letters of such summons we will specify the reason of the summons. And when the summons has thus been made, the business shall proceed on the day appointed, according to the counsel of such as are present, although not all who were summoned have come.

15. We will not for the future grant to any one licence to take an aid from his own free tenants, except to ransom his body, to make his eldest son a knight, and once to marry his eldest daughter; and on each of these occasions there shall be levied only a reasonable aid.

16. No one shall be distrained for performance of greater [military] service for a knight's fee, or for any other free tenement, than is due therefrom.

⁴ [Scutage was paid in place of military service. Aids were levies (in theory voluntary) collected by the king on special occasions; such occasions traditionally were confined to the three mentioned.]

⁵ [Cherished were the right to local self-government, and the right to levy tolls and to place oppressive restrictions on merchants from neighboring towns.]

17. Common pleas shall not follow our court, but shall be held in some fixed place.

18. Inquests of *novel disseisin*, of *mort d'ancestor*, and of *durrein presentment*,⁶ shall not be held elsewhere than in their own county-courts, and that in manner following,—We, or, if we should be out of the realm, our chief justiciar, will send two justiciars through every county four times a year, who shall, along with four knights of the county chosen by the county, hold the said assizes in the county court, on the day and in the place of meeting of that court.

19. And if any of the said assizes cannot be taken on the day of the county court, let there remain of the knights and freeholders, who were present at the county court on that day, as many as may be required for the efficient making of judgments, according as the business be more or less.

20. A freeman shall not be amerced⁷ for a slight offence, except in accordance with the degree of the offence; and for a grave offence he shall be amerced in accordance with the gravity of the offence, yet saving always his "contenement";⁸ and a merchant in the same way, saving his "merchandise"; and a villein shall be amerced in the same way, saving his "waynage"—if they have fallen into our mercy: and none of the aforesaid ameracements shall be imposed except by the oath of honest men of the neighbourhood.

21. Earls and barons shall not be amerced except through their peers, and only in accordance with the degree of the offence.

22. A clerk shall not be amerced in respect of his lay holding except after the manner of the others aforesaid; further, he shall not be amerced in accordance with the extent of his ecclesiastical benefice.

23. No village or individual shall be compelled to make bridges at river banks, except those who from of old were legally bound to do so.

24. No sheriff, constable, coroners, or others of our bailiffs, shall hold pleas of our Crown.⁹

25. All counties, hundreds, wapentakes, and trithings, except our demesne manors, shall remain at the old rents, and without any additional payment.¹⁰

26. If any one holding of us a lay fief shall die, and our sheriff or bailiff shall exhibit our letters patent of summons for a debt which the deceased owed to us, it shall be lawful for our sheriff or bailiff to attach and catalogue chattels of the deceased, found upon the lay fief, to the value of that debt, at the sight

⁶ [Such "inquests" were forms of legal action for remedying recent wrongful eviction, denial of inheritance, and wrongful appointment to a church office, respectively.]

⁷ [Fined.]

⁸ ["Sustenance," that is, enough to live on.]

⁹ [That is, criminal cases shall be tried by the king's judges, and not by local officials.]

¹⁰ [The three quaint items mentioned each were county subdivisions. In this context "rents" meant mainly revenues from royal manors and from local courts of justice; often the king sold the right to collect these revenues to the sheriff of the county.]

of law-worthy men, provided always that nothing whatever be thence removed until the debt which is evident shall be fully paid to us; and the residue shall be left to the executors to fulfil the will of the deceased; and if there be nothing due from him to us, all chattels shall go to the deceased, saving to his wife and children their reasonable shares.

27. If any freeman shall die intestate, his chattels shall be distributed by the hands of his nearest kinsfolk and friends, under supervision of the church, saving to everyone the debts which the deceased owed to him.

28. No constable or other bailiff of ours shall take corn or other provisions from anyone without immediately tendering money therefor, unless he can have postponement thereof by permission of the seller.

29. No constable shall compel any knight to give money in lieu of castle-guard, when he is willing to perform it in his own person, or if he himself cannot do it from any reasonable cause then by another responsible man. Further, if we have led or sent him upon military service, he shall be relieved from guard in proportion to the time during which he has been on service because of us.

30. No sheriff or bailiff of ours, or other person, shall take the horses or carts of any freeman for transport duty, against the will of the said freeman.

31. Neither we nor our bailiffs shall take, for our castles or for any other work of ours, wood which is not ours, against the will of the owner of that wood.

32. We will not retain beyond one year and one day, the lands of those who have been convicted of felony, and the lands shall thereafter be handed over to the lords of the fiefs.

33. All kydeles¹¹ for the future shall be removed altogether from Thames and Medway, and throughout all England, except upon the sea shore.¹²

34. The writ which is called *praecipe* shall not for the future be issued to anyone, regarding any tenement whereby a freeman may lose his court.¹³

35. Let there be one measure of wine throughout our whole realm; and one measure of ale; and one measure of corn, to wit, "the London quarter"; and one width of cloth whether dyed, or russet, or "halberget," to wit, two ells within the selvages; of weights also let it be as of measures.¹⁴

36. Nothing in future shall be given or taken for a writ of inquisition of life or limbs, but freely it shall be granted, and never denied.¹⁵

¹¹ [Fish weirs.]

¹² [The purpose was to aid navigation.]

¹³ [The king had used this writ to transfer cases involving feudal tenure from feudal (or seignorial) to royal courts.]

¹⁴ ["Halberget" may have meant thick cloth worn under a coat of mail. An "ell" was 45 inches.]

¹⁵ [This writ enabled someone challenged to a duel (trial by combat) to have the dispute tried in court.]

37. If anyone holds of us by fee-farm, by socage, or by burgage, and holds also land of another lord by knight's service, we will not by reason of that fee-farm, socage, or burgage, have the wardship of the heir, or of such land of his as is of the fief of that other; nor shall we have wardship of that fee-farm, socage, or burgage, unless such fee-farm owes knight's service.¹⁶ We will not by reason of any small serjeanty which anyone may hold of us by the service of rendering to us knives, arrows, or the like, have wardship of his heir or of the land which he holds of another lord by knight's service.

38. No bailiff for the future shall, upon his own unsupported complaint, put anyone to his "law," without credible witnesses brought for this purpose.¹⁷

39. No freeman shall be taken or [and] imprisoned or disseised¹⁸ or exiled or in any way destroyed, nor will we go upon him nor send upon him, except by the lawful judgment of his peers or [and] by the law of the land.

40. To no one will we sell, to no one will we refuse or delay, right or justice.

41. All merchants shall have safe and secure exit from England, and entry to England, with the right to tarry there and to move about as well by land as by water, for buying and selling by the ancient and right customs, quit from all evil tolls, except in time of war such merchants as are of the land at war with us. And if such are found in our land at the beginning of the war, they shall be detained, without injury to their bodies or goods, until information be received by us, or by our chief justiciar, how the merchants of our land found in the land at war with us are treated; and if our men are safe there, the others shall be safe in our land.

42. It shall be lawful in future for anyone excepting always those imprisoned or outlawed in accordance with the law of the kingdom, and natives of any country at war with us, and merchants, who shall be treated as is above provided to leave our kingdom and to return, safe and secure by land and water, except for a short period in time of war, on grounds of public policy—reserving always the allegiance due to us.

43. If anyone holding of some escheat, such as the honour of Wallingford, Nottingham, Boulogne, Lancaster, or of other escheats which are in our hands and are baronies, shall die, his heir shall give no other relief, and perform no other service to us than he would have done to the baron, if that barony had been in the baron's hand; and we shall hold it in the same manner in which the baron held it.¹⁹

¹⁶ [In theory the king claimed wardship as a substitute for military service that a minor obviously could not perform. Since the three forms of tenure did not involve military service, the right to wardship in such cases is denied.]

¹⁷ [The purpose of this provision is unknown.]

¹⁸ [Expropriated.]

¹⁹ [A barony escheated (reverted) to the king when the baron left no heir. This clause protects the subtenants.]

44. Men who dwell without the forest ²⁰ need not henceforth come before our justiciars of the forest upon a general summons, except those who are impleaded, or who have become sureties for any person or persons attached for forest offences.

45. We will appoint as justices, constables, sheriffs, or bailiffs only such as know the law of the realm and mean to observe it well.

46. All barons who have founded abbeys, concerning which they hold charters from the kings of England, or of which they have long-continued possession, shall have the wardship of them, when vacant, as they ought to have.

47. All forests that have been made such in our time shall forthwith be disafforested; and a similar course shall be followed with regard to river-banks that have been placed "in defence" ²¹ by us in our time.

48. All evil customs connected with forests and warrens, ²² foresters and warreners, sheriffs and their officers, river-banks and their wardens, shall immediately be inquired into in each county by twelve sworn knights of the same county chosen by the honest men of the same county, and shall, within forty days of the said inquest, be utterly abolished, so as never to be restored, provided always that we previously have intimation thereof, or our justiciar, if we should not be in England.

49. We will immediately restore all hostages and charters delivered to us by Englishmen, as sureties of the peace or of faithful service.

50. We will entirely remove from their bailiwicks, ²³ the relations of Gerard of Athée so that in future they shall have no bailiwick in England; namely, Engeland of Cigogné, Peter, Guy, and Andrew of Chanceaux, Guy of Cigogné, Geoffrey of Martigny with his brothers, Philip Mark with his brothers and his nephew Geoffrey, and the whole brood of the same.

51. As soon as peace is restored, we will banish from the kingdom all foreign-born knights, cross-bowmen, serjeants, and mercenary soldiers, who have come with horses and arms to the kingdom's hurt.

52. If anyone has been dispossessed or removed by us, without the legal judgment of his peers, from his lands, castles, franchises, or from his right, we will immediately restore them to him; and if a dispute arise over this, then let it be decided by the five-and-twenty barons of whom mention is made below in the clause for securing the peace. Moreover, for all those possessions, from which anyone has, without the lawful judgment of his peers, been disseised or removed, by our father, King Henry, or by our brother, King Richard, and

²⁰ [The king's game preserve, inside which the common law had no validity.]

²¹ [That is, in which the hunting of wildfowl had been reserved.]

²² [Areas where there existed hunting rights less exclusive than in the "forests."]

²³ ["Bailiwick" was a local magistracy; the persons named were royal favorites.]

which we retain in our hand or which are possessed by others, to whom we are bound to warrant them we shall have respite until the usual term of crusaders; excepting those things about which a plea has been raised, or an inquest made by our order, before our taking of the cross; but as soon as we return from our expedition or if perchance we desist from the expedition we will immediately grant full justice therein.

53. We shall have, moreover, the same respite and in the same manner in rendering justice concerning the disafforestation or retention of those forests which Henry our father and Richard our brother afforested, and concerning the wardship of lands which are of the fief of another, namely, such wardships as we have hitherto had by reason of a fief which anyone held of us by knight's service, and concerning abbeys founded on other fiefs than our own, in which the lord of the fee claims to have right; and when we have returned, or if we desist from our expedition, we will immediately grant full justice to all who complain of such things.

54. No one shall be arrested or imprisoned upon the appeal of a woman, for the death of any other than her husband.

55. All fines made with us unjustly and against the law of the land, and all amercements imposed unjustly and against the law of the land, shall be entirely remitted, or else it shall be done concerning them according to the decision of the five-and-twenty barons of whom mention is made below in the clause for securing the peace, or according to the judgment of the majority of the same, along with the aforesaid Stephen, archbishop of Canterbury, if he can be present, and such others as he may wish to bring with him for this purpose, and if he cannot be present the business shall nevertheless proceed without him, provided always that if any one or more of the aforesaid five-and-twenty barons are in a similar suit, they shall be removed as far as concerns this particular judgment, others being substituted in their places after having been selected by the rest of the same five-and-twenty for this purpose only, and after having been sworn.

56. If we have disseised or removed Welshmen from lands or liberties, or other things, without the legal judgment of their peers in England or in Wales, they shall be immediately restored to them; and if a dispute arise over this, then let it be decided in the marches by the judgment of their peers; for tenements in England according to the law of England, for tenements in Wales according to the law of Wales, and for tenements in the marches according to the law of the marches. Welshmen shall do the same to us and ours.

57. Further, for all those possessions from which any Welshman has, without the lawful judgment of his peers, been disseised or removed by King Henry our father, or King Richard our brother, and which we retain in our hand or

which are possessed by others, to whom we are bound to warrant them we shall have respite until the usual term of crusaders; excepting those things about which a plea has been raised or an inquest made by our order before we took the cross; but as soon as we return, or if perchance we desist from our expedition, we will immediately grant full justice in accordance with the laws of the Welsh and in relation to the foresaid regions.

58. We will immediately give up the son of Llywelyn and all the hostages of Wales, and the charters delivered to us as security for the peace.

59. We will do towards Alexander, King of Scots, concerning the return of his sisters and his hostages, and concerning his franchises, and his right, in the same manner as we shall do towards our other barons of England, unless it ought to be otherwise according to the charters which we hold from William his father, formerly King of Scots; and this shall be according to the judgment of his peers in our court.

60. Moreover, all these aforesaid customs and liberties, the observance of which we have granted in our kingdom as far as pertains to us towards our men, shall be observed by all of our kingdom, as well clergy as laymen, as far as pertains to them towards their men.

61. Since, moreover, for God and the amendment of our kingdom and for the better allaying of the quarrel that has arisen between us and our barons, we have granted all these concessions, desirous that they should enjoy them in complete and firm endurance for ever, we give and grant to them the under-written security, namely, that the barons choose five-and-twenty barons of the kingdom, whomsoever they will, who shall be bound with all their might, to observe and hold, and cause to be observed, the peace and liberties we have granted and confirmed to them by this our present Charter, so that if we, or our justiciar, or our bailiffs or any one of our officers, shall in anything be at fault towards any one, or shall have broken any one of the articles of the peace or of this security, and the offence be notified to four barons of the foresaid five-and-twenty, the said four barons shall repair to us or our justiciar, if we are out of the realm, and, laying the transgression before us, petition to have that transgression redressed without delay. And if we shall not have corrected the transgression or, in the event of our being out of the realm, if our justiciar shall not have corrected it within forty days, reckoning from the time it has been intimated to us or to our justiciar, if we should be out of the realm, the four barons aforesaid shall refer that matter to the rest of the five-and-twenty barons, and those five-and-twenty barons shall, together with the community of the whole land, distrain and distress us in all possible ways, namely, by seizing our castles, lands, possessions, and in any other way they can, until redress has been obtained as they deem fit, saving harmless our own person, and the

persons of our queen and children; and when redress has been obtained, they shall resume their old relations towards us. And let whoever in the country desires it, swear to obey the orders of the said five-and-twenty barons for the execution of all the aforesaid matters, and along with them, to molest us to the utmost of his power, and we publicly and freely grant leave to every one who wishes to swear, and we shall never forbid any one to swear. All those, moreover, in the land who of themselves and of their own accord are unwilling to swear to the twenty-five to help them in constraining and molesting us, we shall by our command compel the same to swear to the effect foresaid. And if any one of the five-and-twenty barons shall have died or departed from the land, or be incapacitated in any other manner which would prevent the foresaid provisions being carried out, those of the said twenty-five barons who are left shall choose another in his place according to their own judgment, and he shall be sworn in the same way as the others. Further, in all matters, the execution of which is intrusted to these twenty-five barons, if perchance these twenty-five are present and disagree about anything, or if some of them, after being summoned, are unwilling or unable to be present, that which the majority of those present ordain or command shall be held as fixed and established, exactly as if the whole twenty-five had concurred in this; and the said twenty-five shall swear that they will faithfully observe all that is aforesaid, and cause it to be observed with all their might. And we shall procure nothing from any one, directly or indirectly, whereby any part of these concessions and liberties might be revoked or diminished; and if any such thing has been procured, let it be void and null, and we shall never use it personally or by another.²⁴

62. And all the ill-will, hatreds, and bitterness that have arisen between us and our men, clergy and lay, from the date of the quarrel, we have completely remitted and pardoned to every one. Moreover, all trespasses occasioned by the said quarrel, from Easter in the sixteenth year of our reign till the restoration of peace, we have fully remitted to all, both clergy and laymen, and completely forgiven, as far as pertains to us. And, on this head, we have caused to be made for them letters testimonial patent of the lord Stephen, archbishop of Canterbury, of the lord Henry, archbishop of Dublin, of the bishops aforesaid, and of Master Pandulf as touching this security and the concessions aforesaid.

63. Wherefore it is our will, and we firmly enjoin, that the English Church be free, and that the men in our kingdom have and hold all the aforesaid

²⁴ [These provisions illustrate the ultimately contractual nature of the feudal relation between lord and vassal. They anticipate the modern notion of a limited monarchy, but the whole plan is so crudely drawn that it is perhaps fortunate that it was not put into practice as it stands.]

liberties, rights, and concessions, well and peaceably, freely and quietly, fully and wholly, for themselves and their heirs, of us and our heirs, in all respects and in all places for ever, as is aforesaid. An oath, moreover, has been taken, as well on our part as on the part of the barons, that all these conditions aforesaid shall be kept in good faith and without evil intent. Given under our hand—the above-named and many others being witnesses—in the meadow which is called Runnymede, between Windsor and Staines, on the fifteenth day of June, in the seventeenth year of our reign.

II

THE MEDIEVAL HERITAGE: THE CLASSICAL INFLUENCE

PLATO

THE SPIRIT of Greece in her classical age, as we may discern it through the philosophical writings that have come down to us, seems to have embraced the faith that there is order in the world and that behind the continually changing surface of appearance there lies some changeless rational principle which the mind of man may discover. Early Greek cosmologists directed their speculations outward into Nature (*physis*), and the history of pre-Socratic philosophy consists of a developing sequence of brilliant conjectures concerning the ultimate stuff of reality. In the fifth century anthropological interests replaced cosmological ones, and a new group of thinkers, known as Sophists, rose to intellectual preeminence; inquiry was gradually withdrawn from the background of Nature to the foreground of human experience; and Protagoras (480-410 B.C.), perhaps the most original mind in the movement, pronounced the dictum that man is the measure of all things. It was Socrates (469-399 B.C.), however, who turned scrutiny inward, into the human soul itself, invoking the belief that there lies within man some divine center, at once rational and moral, and that only through discovering it can we hope to fulfill the destiny laid down for us by our nature and to achieve abiding happiness. "To be curious about that which is not my concern, while I am still in ignorance of my own self, would be ridiculous," he said; and, for Socrates, "the unexamined life is not worth living." Man will be happy only if, and to the degree in which, he knows himself; and Socrates's quarrel with the Sophists centered about what he felt was their mislocation of the source of human good. For they attempted to teach men the techniques of acquiring social success, while Socrates felt that the attainment of some inner state of balance and harmony ought to be the end and aim of education.

Aristotle restated the ethical position of Socrates in three propositions: (1) virtue, or moral excellence, is identical with knowledge; (2) vice, or morally wrong action, is equivalent to intellectual error; (3) vice therefore is never voluntary, for no one would willingly be ignorant. In the dialogue *Gorgias*, Socrates is made to argue the position that the one thing which each man must surely desire is personal happiness and that no one would ever prefer the appearance of happiness if he could possess the reality of it instead. Nonetheless, men do, often, mistakenly imagine that certain external goods (for example, power, prestige, and wealth) will produce the inner state of genuine felicity. But there is no limit to the amount of such goods that man may desire and pursue; and to make external acquisition the means to happiness is to miscalculate and automatically to prohibit the possibility of obtaining it; and indeed the unlimited pursuit of such goods will often, and almost inevitably, lead him in the direction of increasing infelicity. The inner state which each man desires, whether he recognizes it or not, is an esthetic equilibrium where each element of the soul—Reason, Will, and the various orders of appetite—is brought into harmonious accord with each other element and with the whole. The Good Life is a work of art, requiring a special skill (*techné*) in living; and wisdom in living is the craftsmanlike

awareness of some absolute standard of excellence to which the "product" must conform, and which serves as a pattern or model for "tuning" the soul. Justice within the individual is the optimum state of balance where each element performs its vital, natural function, and injustice is internal discord, where some lower element becomes dominant and usurps the function of ruling which should be Reason's. Should some element other than Reason predominate in the soul (or in society), some "excellence" other than wisdom will be pursued. But any virtue other than wisdom will have no limit (and hence can never be achieved) or else, if pushed to excess, will lead to its very opposite—honor to disgrace, wealth to poverty, liberty to tyranny, license to slavery. It clearly follows that no one, unless he were ignorant, would ever willingly commit his life to such goals. Socrates, we must remember, was neither a Christian nor an ascetic; the appetites, too, have their function to perform, and though they should be controlled, they ought not to be repudiated or condemned. Achieving the Good Life in this world is its own reward, and the choice, ultimately, is between a healthy self or a diseased one.

The pursuit and apprehension of the Good, and the moral reconstitution of existence, are things each man must undertake for himself—he cannot be *taught* what Good is, for if he has not had first-person experience of it, he will not understand what is said about it; and if he has experienced it, description will be gratuitous. But if men cannot be taught, they can perhaps be put in a position to see for themselves. Socrates sought to do this through conversation (dialectic), posing questions the answering of which brought to light inherent contradictions in the beliefs of common sense or the maxims of common morality, and demanding definitions of terms often used but little understood. He might thus provoke men out of complacency into an awareness of ignorance concerning the most crucial matter of human destiny. Awareness of ignorance was, for Socrates, the precondition for knowledge, and ideally his fellow-conversationalists, no longer taking for granted their beliefs and values, might seek for themselves and thus, perhaps, achieve their personal moral vision. "I am a midwife," he says in the *Theaetetus*, "the son of a midwife. . . . But I attend men and not women, and I look after their souls when they are in labor. . . . And like midwives, I am barren, and the reproach which is often made against me, that I ask questions of others and have not the wit to answer them myself, is very just. . . . I am not myself at all wise, nor have I anything to show which is the birth of my own soul, but those who converse with me profit." Conversation, when successful, is conversion; the hearer is made to take that half-turn away from appearance and belief toward reality, knowledge, and truth.

Socrates's hesitancy to lecture, his belief that virtue may be learned but not taught, his feeling that he was a man with one eye open in a society of blind men, account for many of the antagonisms he encountered in his career of inquiry. And because he so exclusively devoted himself to participant conversation, he left no written record of his life or thought. Like another moral hero, Jesus Christ, Socrates is known to us only through those whom he affected, and their reports are often inconsistent. But however interesting the "Socratic problem" may be to historians, it is the personality and mission of Socrates as they emerge through

the literary and philosophical genius of Plato (427-347 B.C.) that have stirred men's minds. He remains a center of controversy still.

Though he would found no school, Socrates's wit and dialectical prowess (and of course his challenge to traditional morality) attracted to him a group of younger men. But many factions resented him, and antagonism reached a climax in a trial where he was arraigned for "impiety and corrupting our young men" and was condemned to death. It was this event which turned his young friend Plato—who had political ambitions in his youth, and powerful connections—away from an active political career. Plato knew that political success requires party support. But each Athenian party had treated Socrates—"the most righteous man then living"—in so shameful a manner that one who believed in the principles Socrates died for could not maintain them and at the same time make party alliances in Athens.

Plato grew to young manhood during the raging of the Peloponnesian War; he was twenty-three when Athens capitulated and forfeited her empire to Sparta. The excesses of the oligarchical reaction to the democratic leaders of the war disgusted him; and when the democrats returned in 403 B.C., and he thought once again of an active political life, the martyrdom of Socrates at their hands drove him forever in another direction. Yet the disparity between the elevated moral program of Socrates and the practical exigencies of political life puzzled him; and the *Republic* is, among other things, an attempt, however paradoxical, to stipulate conditions under which moral theory and political practice could be reconciled in the Philosopher-King. Plato's final gesture toward political action came at the age of sixty, when he was invited to Syracuse to educate the young tyrant Dionysius II. The opportunity to apply his theories was tempting, but Dionysius was obdurate and the project was abortive. Plato returned to the leadership of his Academy, Europe's first liberal-arts university (founded by Plato c. 388 B.C.).

The literary form most congenial to Plato was the dialogue, and he wrote nearly thirty of them over a forty-year period. The earlier, so-called Socratic dialogues have a special charm and inconclusiveness about them; as with Socrates, conversation was essential to Plato's presentation. The "meaning" of the dialogues is not to be found in the speeches of this or that personage, but in the dialectical drama of concepts in conflict. Hence there is a perpetual and fascinating ambiguity built into Plato's utterances: in the *Seventh Epistle* he says that his philosophy has never been put into words and never will be. And although the later dialogues, written (as Santayana once put it) "when age turned Plato's wine to vinegar," are more dogmatic in tone and lack the charm of the earlier ones, the systematic inconclusiveness remains. So it is difficult to summarize Plato's philosophy, or even briefly to sketch out the system of thought he created as a setting for the moral faiths of his older friend. For it includes some of the boldest speculation the human spirit has known; and his theories of knowledge, of love, nature, and human destiny; his political, moral, and psychological constructions; and his doctrine of Forms—implying as it does a vision of the universe at once moral and mathematical, esthetic and rational—have stimulated, and often intoxicated, a hundred generations of thinkers. One such thinker, Alfred North

Whitehead, has said: "The safest general characterization of the European philosophical tradition is that it consists of a series of footnotes to Plato."

The following selections are from *The Republic of Plato* (translated from the Greek with introduction and notes by Francis Macdonald Cornford, 1945; reprinted by permission of Oxford University Press, Inc.).



THE REPUBLIC

Book V

UNLESS either philosophers become kings in their countries or those who are now called kings and rulers come to be sufficiently inspired with a genuine desire for wisdom; unless, that is to say, political power and philosophy meet together, while the many natures who now go their several ways in the one or the other direction are forcibly debarred from doing so, there can be no rest from troubles, my dear Glaucon, for states, nor yet, as I believe, for all mankind; nor can this commonwealth which we have imagined ever till then see the light of day and grow to its full stature. This it was that I have so long hung back from saying; I knew what a paradox it would be, because it is hard to see that there is no other way of happiness either for the state or for the individual.

Socrates, exclaimed Glaucon, after delivering yourself of such a pronouncement as that, you must expect a whole multitude of by no means contemptible assailants to fling off their coats, snatch up the handiest weapon, and make a rush at you breathing fire and slaughter. If you cannot find arguments to beat them off and make your escape, you will learn what it means to be the target of scorn and derision.

Well, it was you who got me into this trouble.

Yes, and a good thing too. However, I will not leave you in the lurch. You shall have my friendly encouragement for what it is worth; and perhaps you may find me more complaisant than some would be in answering your questions. With such backing you must try to convince the unbelievers.

I will, now that I have such a powerful ally.

Now, I continued, if we are to elude those assailants you have described, we must, I think, define for them whom we mean by these lovers of wisdom who, we have dared to assert, ought to be our rulers. Once we have a clear view of their character, we shall be able to defend our position by pointing to some who are naturally fitted to combine philosophic study with political leadership,

while the rest of the world should accept their guidance and let philosophy alone. . . .

And whom do you mean by the genuine philosophers?

Those whose passion it is to see the truth.

That must be so; but will you explain?

It would not be easy to explain to everyone; but you, I believe, will grant my premiss.

Which is—?

That since beauty and ugliness are opposite, they are two things; and consequently each of them is one. The same holds of justice and injustice, good and bad, and all the essential Forms: each in itself is one; but they manifest themselves in a great variety of combinations, with actions, with material things, and with one another, and so each seems to be many.

That is true.

On the strength of this premiss, then, I can distinguish your amateurs of the arts and men of action from the philosophers we are concerned with, who are alone worthy of the name.

What is your distinction?

Your lovers of sights and sounds delight in beautiful tones and colours and shapes and in all the works of art into which these enter; but they have not the power of thought to behold and to take delight in the nature of Beauty itself. That power to approach Beauty and behold it as it is in itself, is rare indeed.

Quite true.

Now if a man believes in the existence of beautiful things, but not of Beauty itself, and cannot follow a guide who would lead him to a knowledge of it, is he not living in a dream? Consider: does not dreaming, whether one is awake or asleep, consist in mistaking a semblance for the reality it resembles?

I should certainly call that dreaming.

Contrast with him the man who holds that there is such a thing as Beauty itself and can discern that essence as well as the things that partake of its character, without ever confusing the one with the other—is he a dreamer or living in a waking state?

He is very much awake.

So may we say that he knows, while the other has only a belief in appearances; and might we call their states of mind knowledge and belief?

Certainly.

But this person who, we say, has only belief without knowledge may be aggrieved and challenge our statement. Is there any means of soothing his resentment and converting him gently, without telling him plainly that he is not in his right mind?

We surely ought to try.

Come then, consider what we are to say to him. Or shall we ask him a question, assuring him that, far from grudging him any knowledge he may have, we shall be only too glad to find that there is something he knows? But, we shall say, tell us this: When a man knows, must there not be something that he knows? Will you answer for him, Glaucon?

My answer will be, that there must.

Something real or unreal?

Something real; how could a thing that is unreal ever be known?

Are we satisfied, then, on this point, from however many points of view we might examine it: that the perfectly real is perfectly knowable, and the utterly unreal is entirely unknowable?

Quite satisfied.

Good. Now if there is something so constituted that it both *is* and *is not*, will it not lie between the purely real and the utterly unreal?

It will.

Well then, as knowledge corresponds to the real, and absence of knowledge necessarily to the unreal, so, to correspond to this intermediate thing, we must look for something between ignorance and knowledge, if such a thing there be.

Certainly.

Is there not a thing we call belief?

Surely.

A different power from knowledge, or the same?

Different.

Knowledge and belief, then, must have different objects, answering to their respective powers.

Yes.

And knowledge has for its natural object the real—to know the truth about reality. However, before going further, I think we need a definition. Shall we distinguish under the general name of “faculties” those powers which enable us—or anything else—to do what we can do? Sight and hearing, for instance, are what I call faculties, if that will help you to see the class of things I have in mind.

Yes, I understand.

Then let me tell you what view I take of them. In a faculty I cannot find any of those qualities, such as colour or shape, which, in the case of many other things, enable me to distinguish one thing from another. I can only look to its field of objects and the state of mind it produces, and regard these as sufficient to identify it and to distinguish it from faculties which have different fields and produce different states. Is that how you would go to work?

Yes.

Let us go back, then, to knowledge. Would you class that as a faculty?

Yes; and I should call it the most powerful of all.

And is belief also a faculty?

It can be nothing else, since it is what gives us the power of believing.

But a little while ago you agreed that knowledge and belief are not the same thing.

Yes; there could be no sense in identifying the infallible with the fallible.

Good. So we are quite clear that knowledge and belief are different things?

They are.

If so, each of them, having a different power, must have a different field of objects.

Necessarily.

The field of knowledge being the real; and its power, the power of knowing the real as it is.

Yes.

Whereas belief, we say, is the power of believing. Is its object the same as that which knowledge knows? Can the same things be possible objects both of knowledge and of belief?

Not if we hold to the principles we agreed upon. If it is of the nature of a different faculty to have a different field, and if both knowledge and belief are faculties and, as we assert, different ones, it follows that the same things cannot be possible objects of both.

So if the real is the object of knowledge, the object of belief must be something other than the real.

Yes.

Can it be the unreal? Or is that an impossible object even for belief? Consider: if a man has a belief, there must be something before his mind; he cannot be believing nothing, can he?

No.

He is believing something, then; whereas the unreal could only be called nothing at all.

Certainly.

Now we said that ignorance must correspond to the unreal, knowledge to the real. So what he is believing cannot be real nor yet unreal.

True.

Belief, then, cannot be either ignorance or knowledge.

It appears not.

Then does it lie outside and beyond these two? Is it either more clear and certain than knowledge or less clear and certain than ignorance?

No, it is neither.

It rather seems to you to be something more obscure than knowledge, but not so dark as ignorance, and so to lie between the two extremes?

Quite so.

Well, we said earlier that if some object could be found such that it both *is* and at the same time *is not*, that object would lie between the perfectly real and the utterly unreal; and that the corresponding faculty would be neither knowledge nor ignorance, but a faculty to be found situated between the two.

Yes.

And now what we have found between the two is the faculty we call belief. True.

It seems, then, that what remains to be discovered is that object which can be said both to be and not to be and cannot properly be called either purely real or purely unreal. If that can be found, we may justly call it the object of belief, and so give the intermediate faculty the intermediate object, while the two extreme objects will fall to the extreme faculties.

Yes.

On these assumptions, then, I shall call for an answer from our friend who denies the existence of Beauty itself or of anything that can be called an essential Form of Beauty remaining unchangeably in the same state for ever, though he does recognize the existence of beautiful things as a plurality—that lover of things seen who will not listen to anyone who says that Beauty is one, Justice is one, and so on. I shall say to him, Be so good as to tell us: of all these many beautiful things is there one which will not appear ugly? Or of these many just or righteous actions, is there one that will not appear unjust or unrighteous?

No, replied Glaucon, they must inevitably appear to be in some way both beautiful and ugly; and so with all the other terms your question refers to.

And again the many things which are doubles are just as much halves as they are doubles. And the things we call large or heavy have just as much right to be called small or light.

Yes; any such thing will always have a claim to both opposite designations.

Then, whatever any one of these many things may be said to be, can you say that it absolutely *is* that, any more than that it *is not* that?

They remind me of those punning riddles people ask at dinner parties, or the child's puzzle about what the eunuch threw at the bat and what the bat was perched on.¹ These things have the same ambiguous character, and one

¹ [A man who was not a man (eunuch), seeing and not seeing (seeing imperfectly) a bird that was not a bird (bat) perched on a bough that was not a bough (a reed), pelted and did not pelt it (aimed at it and missed) with a stone that was not a stone (pumice-stone).]

cannot form any stable conception of them either as being or as not being, or as both being and not being, or as neither.

Can you think of any better way of disposing of them than by placing them between reality and unreality? For I suppose they will not appear more obscure and so less real than unreality, or clearer and so more real than reality.

Quite true.

It seems, then, we have discovered that the many conventional notions of the mass of mankind about what is beautiful or honourable or just and so on are adrift in a sort of twilight between pure reality and pure unreality.

We have.

And we agreed earlier that, if any such object were discovered, it should be called the object of belief and not of knowledge. Fluctuating in that half-way region, it would be seized upon by the intermediate faculty.

Yes.

So when people have an eye for the multitude of beautiful things or of just actions or whatever it may be, but can neither behold Beauty or Justice itself nor follow a guide who would lead them to it, we shall say that all they have is beliefs, without any real knowledge of the objects of their belief.

That follows.

But what of those who contemplate the realities themselves as they are for ever in the same unchanging state? Shall we not say that they have, not mere belief, but knowledge?

That too follows.

And, further, that their affection goes out to the objects of knowledge, whereas the others set their affections on the objects of belief; for it was they, you remember, who had a passion for the spectacle of beautiful colours and sounds, but would not hear of Beauty itself being a real thing.

I remember.

So we may fairly call them lovers of belief rather than of wisdom—not philosophical, in fact, but philodoxical. Will they be seriously annoyed by that description?

Not if they will listen to my advice. No one ought to take offence at the truth.

The name of philosopher, then, will be reserved for those whose affections are set, in every case, on the reality.

By all means.

Book VI

So at last, Glaucon, after this long and weary way, we have come to see who are the philosophers and who are not.

I doubt if the way could have been shortened.

Apparently not. I think, however, that we might have gained a still clearer view, if this had been the only topic to be discussed; but there are so many others awaiting us, if we mean to discover in what ways the just life is better than the unjust.

Which are we to take up now?

Surely the one that follows next in order. Since the philosophers are those who can apprehend the eternal and unchanging, while those who cannot do so, but are lost in the mazes of multiplicity and change, are not philosophers, which of the two ought to be in control of a state?

I wonder what would be a reasonable solution.

To establish as Guardians whichever of the two appear competent to guard the laws and ways of life in society.

True.

Well, there can be no question whether a guardian who is to keep watch over anything needs to be keen-sighted or blind. And is not blindness precisely the condition of men who are entirely cut off from knowledge of any reality, and have in their soul no clear pattern of perfect truth, which they might study in every detail and constantly refer to, as a painter looks at his model, before they proceed to embody notions of justice, honour, and goodness in earthly institutions or, in their character of Guardians, to preserve such institutions as already exist?

Certainly such a condition is very like blindness.

Shall we, then, make such as these our Guardians in preference to men who, besides their knowledge of realities, are in no way inferior to them in experience and in every excellence of character?

It would be absurd not to choose the philosophers, whose knowledge is perhaps their greatest point of superiority, provided they do not lack those other qualifications. . . .

Well then, I went on, enough has been said about the prejudice against philosophy, why it exists and how unfair it is, unless you have anything to add.

No, nothing on that head. But is there any existing form of society that you would call congenial to philosophy?

Not one. That is precisely my complaint: no existing constitution is worthy of the philosophic nature; that is why it is perverted and loses its character. As a foreign seed sown in a different soil yields to the new influence and degen-

erates into the local variety, so this nature cannot now keep its proper virtue, but falls away and takes on an alien character. If it can ever find the ideal form of society, as perfect as itself, then we shall see that it is in reality something divine, while all other natures and ways of life are merely human. No doubt you will ask me next what this ideal society is.

You are mistaken, he replied; I was going to ask whether you meant the commonwealth we have been founding.

Yes, in all points but one: our state must always contain some authority which will hold to the same idea of its constitution that you had before you in framing its laws. We did, in fact, speak of that point before, but not clearly enough; you frightened me with your objections, which have shown that the explanation is a long and difficult matter; and the hardest part is still to come.

What is that?

The question how a state can take in hand the pursuit of philosophy without disaster; for all great attempts are hazardous, and the proverb is only too true, that what is worth while is never easy.

All the same, this point must be cleared up to complete your account.

If I fail, it will not be for want of goodwill; "yourself shall see me do my uttermost." In proof of which I shall at once be rash enough to remark that the state should deal with this pursuit, not as it does now, but in just the opposite way. As things are, those who take it up at all are only just out of their childhood. In the interval before they set up house and begin to earn their living, they are introduced to the hardest part—by which I mean abstract discussions—and then, when they have done with that, their philosophic education is supposed to be complete. Later, they think they have done much if they accept an invitation to listen to such a discussion, which is, in their eyes, to be taken as a pastime; and as age draws on, in all but a very few the light is quenched more effectually than the sun of Heraclitus, inasmuch as it is never rekindled.

And what would be the right plan?

Just the opposite. Boys and youths should be given a liberal education suitable to their age; and, while growing up to manhood, they should take care to make their bodies into good instruments for the service of philosophy. As the years go on in which the mind begins to reach maturity, intellectual training should be intensified. Finally, when strength fails and they are past civil and military duties, let them range at will, free from all serious business but philosophy; for theirs is to be a life of happiness, crowned after death with a fitting destiny in the other world.

You really do seem to be doing your uttermost, Socrates. But I fancy most of your hearers will be even more in earnest on the other side. They are not at all likely to agree; least of all Thrasymachus.

Don't try to make a quarrel between Thrasy-machus and me, when we have just become friends—not that we were enemies before. You and I will spare no effort until we convince him and the rest of the company, or at least take them some way with us, against the day when they may find themselves once more engaged in discussions like ours in some future incarnation.

Rather a distant prospect!

No more than a moment in the whole course of time. However, it is no wonder that most people have no faith in our proposals, for they have never seen our words come true in fact. They have heard plenty of eloquence, not like our own unstudied discourse, but full of balanced phrases and artfully matched antitheses; but a man with a character so finely balanced as to be a match for the ideal of virtue in word and deed, ruling in a society as perfect as himself—that they have never yet seen in a single instance.

They have not.

Nor yet have they cared to listen seriously to frank discussion of the nobler sort that is entirely bent on knowing the truth for its own sake and leaves severely alone those tricks of special pleading in the law-court or the lecture-room which aim only at influencing opinion or winning a case.

Quite true.

These, then, were the obstacles I foresaw when, in spite of my fears, truth compelled me to declare that there will never be a perfect state or constitution, nor yet a perfect man, until some happy circumstance compels these few philosophers who have escaped corruption but are now called useless, to take charge, whether they like it or not, of a state which will submit to their authority; or else until kings and rulers or their sons are divinely inspired with a genuine passion for true philosophy. If either alternative or both were impossible, we might justly be laughed at as idle dreamers; but, as I maintain, there is no ground for saying so. Accordingly, if ever in the infinity of time, past or future, or even to-day in some foreign region far beyond our horizon, men of the highest gifts for philosophy are constrained to take charge of a common-wealth, we are ready to maintain that, then and there, the constitution we have described has been realized, or will be realized when once the philosophic muse becomes mistress of a state. For that might happen. Our plan is difficult—we have admitted as much—but not impossible.

I agree to that.

But the public, you are going to say, think otherwise?

Perhaps.

My dear Adeimantus, you must not condemn the public so sweepingly; they will change their opinion, if you avoid controversy and try gently to remove their prejudice against the love of learning. Repeat our description of the

philosopher's nature and of his pursuits, and they will see that you do not mean the sort of person they imagine. It is only ill-temper and malice in oneself that call out those qualities in others who are not that way inclined; and I will anticipate you by declaring that, in my belief, the public with a few exceptions is not of such an unyielding temper.

Yes, I agree with you there.

Will you also agree that, if it is ill-disposed towards philosophy, the blame must fall on that noisy crew of interlopers who are always bandying abuse and spiteful personalities—the last thing of which a philosopher can be guilty? For surely, Adeimantus, a man whose thoughts are fixed on true reality has no leisure to look downwards on the affairs of men, to take part in their quarrels, and to catch the infection of their jealousies and hates. He contemplates a world of unchanging and harmonious order, where reason governs and nothing can do or suffer wrong; and, like one who imitates an admired companion, he cannot fail to fashion himself in its likeness. So the philosopher, in constant companionship with the divine order of the world, will reproduce that order in his soul and, so far as man may, become godlike; though here, as everywhere, there will be scope for detraction.

Quite true.

Suppose, then, he should find himself compelled to mould other characters besides his own and to shape the pattern of public and private life into conformity with his vision of the ideal, he will not lack the skill to produce such counterparts of temperance, justice, and all the virtues as can exist in the ordinary man. And the public, when they see that we have described him truly, will be reconciled to the philosopher and no longer disbelieve our assertion that happiness can only come to a state when its lineaments are traced by an artist working after the divine pattern.

Yes, they will be reconciled when once they understand. But how will this artist set to work?

He will take society and human character as his canvas, and begin by scraping it clean. That is no easy matter; but, as you know, unlike other reformers, he will not consent to take in hand either an individual or a state or to draft laws, until he is given a clean surface to work on or has cleansed it himself.

Quite rightly.

Next, he will sketch in the outline of the constitution. Then, as the work goes on, he will frequently refer to his model, the ideals of justice, goodness, temperance, and the rest, and compare with them the copy of those qualities which he is trying to create in human society. Combining the various elements of social life as a painter mixes his colours, he will reproduce the com-

plexion of true humanity, guided by that divine pattern whose likeness Homer saw in the men he called godlike. He will rub out and paint in again this or that feature, until he has produced, so far as may be, a type of human character that heaven can approve.

No picture could be more beautiful than that.

Are we now making any impression on those assailants who, you said, would fall upon us so furiously when we spoke in praise of the philosopher and proposed to give him control of the state? Will they be calmer now that we have told them we mean an artist who will use his skill in this way to design a constitution?

They ought to be, if they have any sense.

Yes, for what ground is left for dispute? It would be absurd to deny that a philosopher is a lover of truth and reality; or that his nature, as we have described it, is allied to perfection; or again, that given the right training, no other will be so completely good and enlightened. They will hardly give the preference to those impostors whom we have ruled out.

Surely not.

So they will no longer be angry with us for saying that, until philosophers hold power, neither states nor individuals will have rest from trouble, and the commonwealth we have imagined will never be realized.

Less angry perhaps.

I suggest that, if we go farther and assume them to be completely pacified and convinced, then, perhaps, they might agree with us for very shame.

Certainly they might.

Granted, then, that they are convinced so far, no one will dispute our other point, that kings and hereditary rulers might have sons with a philosophic nature, and these might conceivably escape corruption. It would be hard to save them, we admit; but can anyone say that, in the whole course of time, not a single one could be saved?

Surely not.

Well, one would be enough to effect all this reform that now seems so incredible, if he had subjects disposed to obey; for it is surely not impossible that they should consent to carry out our laws and customs when laid down by a ruler. It would be no miracle if others should think as we do; and we have, I believe, sufficiently shown that our plan, if practicable, is the best. So, to conclude: our institutions would be the best, if they could be realized, and to realize them, though hard, is not impossible.

Yes, that is the conclusion.

One difficulty, then, has been surmounted. It remains to ask how we can make sure of having men who will preserve our constitution. What

must they learn, and at what age should they take up each branch of study?

Yes, that is the next point.

I gained nothing by my cunning in putting off those thorny questions of the possession of wives and children and the appointment of Rulers. I knew that the ideal plan would give offence and be hard to carry out; none the less I have had to discuss these matters. We have now disposed of the women and children, but we must start all over again upon the training of the Rulers. You remember how their love for their country was to be proved, by the tests of pain and pleasure, to be a faith that no toil or danger, no turn of fortune could make them abandon. All who failed were to be rejected; only the man who came out flawless, like gold tried in the fire, was to be made a Ruler with privileges and rewards in life and after death. So much was said, when our argument turned aside, as if hoping, with veiled face, to slip past the danger that now lies in our path.

Quite true, I remember.

Yes, I shrank from the bold words which have now been spoken; but now we have ventured to declare that our Guardians in the fullest sense must be philosophers. So much being granted, you must reflect how few are likely to be available. The natural gifts we required will rarely grow together into one whole; they tend to split apart.

How do you mean?

Qualities like ready understanding, a good memory, sagacity, quickness, together with a high-spirited, generous temper, are seldom combined with willingness to live a quiet life of sober constancy. Keen wits are apt to lose all steadiness and to veer about in every direction. On the other hand, the steady reliable characters, whose impassivity is proof against the perils of war, are equally proof against instruction. Confronted with intellectual work, they become comatose and do nothing but yawn.

That is true.

But we insist that no one must be given the highest education or hold office as Ruler, who has not both sets of qualities in due measure. This combination will be rare. So, besides testing it by hardship and danger and by the temptations of pleasure, we may now add that its strength must be tried in many forms of study, to see whether it has the courage and endurance to pursue the highest kind of knowledge, without flinching as others flinch under physical trials.

By all means; but what kinds of study do you call the highest?

You remember how we deduced the definitions of justice, temperance, courage, and wisdom by distinguishing three parts of the soul?

If I had forgotten that, I should not deserve to hear any more.

Do you also remember my warning you beforehand that in order to gain the clearest possible view of these qualities we should have to go round a longer way, although we could give a more superficial account in keeping with our earlier argument. You said that would do; and so we went on in a way which seemed to me not sufficiently exact; whether you were satisfied, it is for you to say.

We all thought you gave us a fair measure of truth.

No measure that falls in the least degree short of the whole truth can be quite fair in so important a matter. What is imperfect can never serve as a measure; though people sometimes think enough has been done and there is no need to look further.

Yes, indolence is common enough.

But the last quality to be desired in the Guardian of a commonwealth and its laws. So he will have to take the longer way and work as hard at learning as at training his body; otherwise he will never reach the goal of the highest knowledge, which most of all concerns him.

Why, are not justice and the other virtues we have discussed the highest? Is there something still higher to be known?

There is; and of those virtues themselves we have as yet only a rough outline, where nothing short of the finished picture should content us. If we strain every nerve to reach precision and clearness in things of little moment, how absurd not to demand the highest degree of exactness in the things that matter most.

Certainly. But what do you mean by the highest kind of knowledge and with what is it concerned? You cannot hope to escape that question.

I do not; you may ask me yourself. All the same, you have been told many a time; but now either you are not thinking or, as I rather suspect, you mean to put me to some trouble with your insistence. For you have often been told that the highest object of knowledge is the essential nature of the Good, from which everything that is good and right derives its value for us. You must have been expecting me to speak of this now, and to add that we have no sufficient knowledge of it. I need not tell you that, without that knowledge, to know everything else, however well, would be of no value to us, just as it is of no use to possess anything without getting the good of it. What advantage can there be in possessing everything except what is good, or in understanding everything else while of the good and desirable we know nothing?

None whatever.

Well then, you know too that most people identify the Good with pleasure, whereas the more enlightened think it is knowledge.

Yes, of course.

And further that these latter cannot tell us what knowledge they mean, but are reduced at last to saying, "knowledge of the Good."

That is absurd.

It is; first they reproach us with not knowing the Good, and then tell us that it is knowledge of the Good, as if we did after all understand the meaning of that word "Good" when they pronounce it.

Quite true.

What of those who define the Good as pleasure? Are they any less confused in their thoughts? They are obliged to admit that there are bad pleasures; from which it follows that the same things are both good and bad.

Quite so.

Evidently, then, this is a matter of much dispute. It is also evident that, although many are content to do what seems just or honourable without really being so, and to possess a mere semblance of these qualities, when it comes to good things, no one is satisfied with possessing what only seems good: here all reject the appearance and demand the reality.

Certainly.

A thing, then, that every soul pursues as the end of all her actions, dimly divining its existence, but perplexed and unable to grasp its nature with the same clearness and assurance as in dealing with other things, and so missing whatever value those other things might have—a thing of such supreme importance is not a matter about which those chosen Guardians of the whole fortunes of our commonwealth can be left in the dark.

Most certainly not.

At any rate, institutions or customs which are desirable and right will not, I imagine, find a very efficient guardian in one who does not know in what way they are good. I should rather guess that he will not be able to recognize fully that they are right and desirable.

No doubt.

So the order of our commonwealth will be perfectly regulated only when it is watched over by a Guardian who does possess this knowledge.

That follows. But, Socrates, what is your own account of the Good? Is it knowledge, or pleasure, or something else?

There you are! I exclaimed; I could see all along that you were not going to be content with what other people think.

Well, Socrates, it does not seem fair that you should be ready to repeat other people's opinions but not to state your own, when you have given so much thought to this subject.

And do you think it fair of anyone to speak as if he knew what he does not know?

No, not as if he knew, but he might give his opinion for what it is worth.

Why, have you never noticed that opinion without knowledge is always a shabby sort of thing? At the best it is blind. One who holds a true belief without intelligence is just like a blind man who happens to take the right road, isn't he?

No doubt.

Well, then, do you want me to produce one of these poor blind cripples, when others could discourse to you with illuminating eloquence?

No, really, Socrates, said Glaucon, you must not give up within sight of the goal. We should be quite content with an account of the Good like the one you gave us of justice and temperance and the other virtues.

So should I be, my dear Glaucon, much more than content! But I am afraid it is beyond my powers; with the best will in the world I should only disgrace myself and be laughed at. No, for the moment let us leave the question of the real meaning of good; to arrive at what I at any rate believe it to be would call for an effort too ambitious for an inquiry like ours. However, I will tell you, though only if you wish it, what I picture to myself as the offspring of the Good and the thing most nearly resembling it.

Well, tell us about the offspring, and you shall remain in our debt for an account of the parent.

I only wish it were within my power to offer, and within yours to receive, a settlement of the whole account. But you must be content now with the interest only; and you must see to it that, in describing this offspring of the Good, I do not inadvertently cheat you with false coin.

We will keep a good eye on you. Go on.

First we must come to an understanding. Let me remind you of the distinction we drew earlier and have often drawn on other occasions, between the multiplicity of things that we call good or beautiful or whatever it may be and, on the other hand, Goodness itself or Beauty itself and so on. Corresponding to each of these sets of many things, we postulate a single Form or real essence, as we call it.

Yes, that is so.

Further, the many things, we say, can be seen, but are not objects of rational thought; whereas the Forms are objects of thought, but invisible.

Yes, certainly.

And we see things with our eyesight, just as we hear sounds with our ears and, to speak generally, perceive any sensible thing with our sense-faculties.

Of course.

Have you noticed, then, that the artificer who designed the senses has been

exceptionally lavish of his materials in making the eyes able to see and their objects visible?

That never occurred to me.

Well, look at it in this way. Hearing and sound do not stand in need of any third thing, without which the ear will not hear nor sound be heard; and I think the same is true of most, not to say all, of the other senses. Can you think of one that does require anything of the sort?

No, I cannot.

But there is this need in the case of sight and its objects. You may have the power of vision in your eyes and try to use it, and colour may be there in the objects; but sight will see nothing and the colours will remain invisible in the absence of a third thing peculiarly constituted to serve this very purpose.

By which you mean—?

Naturally I mean what you call light; and if light is a thing of value, the sense of sight and the power of being visible are linked together by a very precious bond, such as unites no other sense with its object.

No one could say that light is not a precious thing.

And of all the divinities in the skies is there one whose light, above all the rest, is responsible for making our eyes see perfectly and making objects perfectly visible?

There can be no two opinions: of course you mean the Sun.

And how is sight related to this deity? Neither sight nor the eye which contains it is the Sun, but of all the sense-organs it is the most sun-like; and further, the power it possesses is dispensed by the Sun, like a stream flooding the eye. And again, the Sun is not vision, but it is the cause of vision and also is seen by the vision it causes.

Yes.

It was the Sun, then, that I meant when I spoke of that offspring which the Good has created in the visible world, to stand there in the same relation to vision and visible things as that which the Good itself bears in the intelligible world to intelligence and to intelligible objects.

How is that? You must explain further.

You know what happens when the colours of things are no longer irradiated by the daylight, but only by the fainter luminaries of the night: when you look at them, the eyes are dim and seem almost blind, as if there were no unclouded vision in them. But when you look at things on which the Sun is shining, the same eyes see distinctly and it becomes evident that they do contain the power of vision.

Certainly.

Apply this comparison, then, to the soul. When its gaze is fixed upon an object irradiated by truth and reality, the soul gains understanding and knowledge and is manifestly in possession of intelligence. But when it looks towards that twilight world of things that come into existence and pass away, its sight is dim and it has only opinions and beliefs which shift to and fro, and now it seems like a thing that has no intelligence.

That is true.

This, then, which gives to the objects of knowledge their truth and to him who knows them his power of knowing, is the Form or essential nature of Goodness. It is the cause of knowledge and truth; and so, while you may think of it as an object of knowledge, you will do well to regard it as something beyond truth and knowledge and, precious as these both are, of still higher worth. And, just as in our analogy light and vision were to be thought of as like the Sun, but not identical with it, so here both knowledge and truth are to be regarded as like the Good, but to identify either with the Good is wrong. The Good must hold a yet higher place of honour.

You are giving it a position of extraordinary splendour, if it is the source of knowledge and truth and itself surpasses them in worth. You surely cannot mean that it is pleasure.

Heaven forbid, I exclaimed. But I want to follow up our analogy still further. You will agree that the Sun not only makes the things we see visible, but also brings them into existence and gives them growth and nourishment; yet he is not the same thing as existence. And so with the objects of knowledge: these derive from the Good not only their power of being known, but their very being and reality; and Goodness is not the same thing as being, but even beyond being, surpassing it in dignity and power.

Glaucon exclaimed with some amusement at my exalting Goodness in such extravagant terms.

It is your fault, I replied; you forced me to say what I think.

Yes, and you must not stop there. At any rate, complete your comparison with the Sun, if there is any more to be said.

There is a great deal more, I answered.

Let us hear it, then; don't leave anything out.

I am afraid much must be left unsaid. However, I will not, if I can help it, leave out anything that can be said on this occasion.

Please do not.

Conceive, then, that there are these two powers I speak of, the Good reigning over the domain of all that is intelligible, the Sun over the visible world—or the heaven as I might call it; only you would think I was showing off my

skill in etymology. At any rate you have these two orders of things clearly before your mind: the visible and the intelligible?

I have.

Now take a line divided into two unequal parts, one to represent the visible order, the other the intelligible; and divide each part again in the same proportion, symbolizing degrees of comparative clearness or obscurity. Then one of the two sections in the visible world will stand for images. By images I mean first shadows, and then reflections in water or in close-grained, polished surfaces, and everything of that kind, if you understand.

Yes, I understand.

Let the second section stand for the actual things of which the first are likenesses, the living creatures about us and all the works of nature or of human hands.

So be it.

Will you also take the proportion in which the visible world has been divided as corresponding to degrees of reality and truth, so that the likeness shall stand to the original in the same ratio as the sphere of appearances and belief to the sphere of knowledge?

Certainly.

Now consider how we are to divide the part which stands for the intelligible world. There are two sections. In the first the mind uses as images those actual things which themselves had images in the visible world; and it is compelled to pursue its inquiry by starting from assumptions and travelling, not up to a principle, but down to a conclusion. In the second the mind moves in the other direction, from an assumption up towards a principle which is not hypothetical; and it makes no use of the images employed in the other section, but only of Forms, and conducts its inquiry solely by their means.

I don't quite understand what you mean.

Then we will try again; what I have just said will help you to understand. You know, of course, how students of subjects like geometry and arithmetic begin by postulating odd and even numbers, or the various figures and the three kinds of angle, and other such data in each subject. These data they take as known; and, having adopted them as assumptions, they do not feel called upon to give any account of them to themselves or to anyone else, but treat them as self-evident. Then, starting from these assumptions, they go on until they arrive, by a series of consistent steps, at all the conclusions they set out to investigate.

Yes, I know that.

You also know how they make use of visible figures and discourse about

them, though what they really have in mind is the originals of which these figures are images: they are not reasoning, for instance, about this particular square and diagonal which they have drawn, but about *the* Square and *the* Diagonal; and so in all cases. The diagrams they draw and the models they make are actual things, which may have their shadows or images in water; but now they serve in their turn as images, while the student is seeking to behold those realities which only thought can apprehend.

Truc.

This, then, is the class of things that I spoke of as intelligible, but with two qualifications: first, that the mind, in studying them, is compelled to employ assumptions, and, because it cannot rise above these, does not travel upwards to a first principle; and second, that it uses as images those actual things which have images of their own in the section below them and which, in comparison with those shadows and reflections, are reputed to be more palpable and valued accordingly.

I understand: you mean the subject-matter of geometry and of the kindred arts.

Then by the second section of the intelligible world you may understand me to mean all that unaided reasoning apprehends by the power of dialectic, when it treats its assumptions, not as first principles, but as *hypotheses* in the literal sense, things "laid down" like a flight of steps up which it may mount all the way to something that is not hypothetical, the first principle of all; and having grasped this, may turn back and, holding on to the consequences which depend upon it, descend at last to a conclusion, never making use of any sensible object, but only of Forms, moving through Forms from one to another, and ending with Forms.

I understand, he said, though not perfectly; for the procedure you describe sounds like an enormous undertaking. But I see that you mean to distinguish the field of intelligible reality studied by dialectic as having a greater certainty and truth than the subject-matter of the "arts," as they are called, which treat their assumptions as first principles. The students of these arts are, it is true, compelled to exercise thought in contemplating objects which the senses cannot perceive; but because they start from assumptions without going back to a first principle, you do not regard them as gaining true understanding about those objects, although the objects themselves, when connected with a first principle, are intelligible. And I think you would call the state of mind of the students of geometry and other such arts, not intelligence, but thinking, as being something between intelligence and mere acceptance of appearances.

You have understood me quite well enough, I replied. And now you may take, as corresponding to the four sections, these four states of mind: *intelli-*

gence for the highest, *thinking* for the second, *belief* for the third, and for the last *imagining*. These you may arrange as the terms in a proportion, assigning to each a degree of clearness and certainty corresponding to the measure in which their objects possess truth and reality.

I understand and agree with you. I will arrange them as you say.

Book VII

Next, said I, here is a parable to illustrate the degrees in which our nature may be enlightened or unenlightened. Imagine the condition of men living in a sort of cavernous chamber underground, with an entrance open to the light and a long passage all down the cave. Here they have been from childhood, chained by the leg and also by the neck, so that they cannot move and can see only what is in front of them, because the chains will not let them turn their heads. At some distance higher up is the light of a fire burning behind them; and between the prisoners and the fire is a track with a parapet built along it, like the screen at a puppet-show, which hides the performers while they show their puppets over the top.

I see, said he.

Now behind this parapet imagine persons carrying along various artificial objects, including figures of men and animals in wood or stone or other materials, which project above the parapet. Naturally, some of these persons will be talking, others silent.

It is a strange picture, he said, and a strange sort of prisoners.

Like ourselves, I replied; for in the first place prisoners so confined would have seen nothing of themselves or of one another, except the shadows thrown by the fire-light on the wall of the Cave facing them, would they?

Not if all their lives they had been prevented from moving their heads.

And they would have seen as little of the objects carried past.

Of course.

Now, if they could talk to one another, would they not suppose that their words referred only to those passing shadows which they saw?

Necessarily.

And suppose their prison had an echo from the wall facing them? When one of the people crossing behind them spoke, they could only suppose that the sound came from the shadow passing before their eyes.

No doubt.

In every way, then, such prisoners would recognize as reality nothing but the shadows of those artificial objects.

Inevitably.

Now consider what would happen if their release from the chains and the healing of their un wisdom should come about in this way. Suppose one of them set free and forced suddenly to stand up, turn his head, and walk with eyes lifted to the light; all these movements would be painful, and he would be too dazzled to make out the objects whose shadows he had been used to see. What do you think he would say, if someone told him that what he had formerly seen was meaningless illusion, but now, being somewhat nearer to reality and turned towards more real objects, he was getting a truer view? Suppose further that he were shown the various objects being carried by and were made to say, in reply to questions, what each of them was. Would he not be perplexed and believe the objects now shown him to be not so real as what he formerly saw?

Yes, not nearly so real.

And if he were forced to look at the fire-light itself, would not his eyes ache, so that he would try to escape and turn back to the things which he could see distinctly, convinced that they really were clearer than these other objects now being shown to him?

Yes.

And suppose someone were to drag him away forcibly up the steep and rugged ascent and not let him go until he had hauled him out into the sunlight, would he not suffer pain and vexation at such treatment, and, when he had come out into the light, find his eyes so full of its radiance that he could not see a single one of the things that he was now told were real?

Certainly he would not see them all at once.

He would need, then, to grow accustomed before he could see things in that upper world. At first it would be easiest to make out shadows, and then the images of men and things reflected in water, and later on the things themselves. After that, it would be easier to watch the heavenly bodies and the sky itself by night, looking at the light of the moon and stars rather than the Sun and the Sun's light in the day-time.

Yes, surely.

Last of all, he would be able to look at the Sun and contemplate its nature, not as it appears when reflected in water or any alien medium, but as it is in itself in its own domain.

No doubt.

And now he would begin to draw the conclusion that it is the Sun that produces the seasons and the course of the year and controls everything in the visible world, and moreover is in a way the cause of all that he and his companions used to see.

Clearly he would come at last to that conclusion.

Then if he called to mind his fellow prisoners and what passed for wisdom in his former dwelling-place, he would surely think himself happy in the change and be sorry for them. They may have had a practice of honouring and commending one another, with prizes for the man who had the keenest eye for the passing shadows and the best memory for the order in which they followed or accompanied one another, so that he could make a good guess as to which was going to come next. Would our released prisoner be likely to covet those prizes or to envy the men exalted to honour and power in the Cave? Would he not feel like Homer's Achilles, that he would far sooner "be on earth as a hired servant in the house of a landless man" or endure anything rather than go back to his old beliefs and live in the old way?

Yes, he would prefer any fate to such a life.

Now imagine what would happen if he went down again to take his former seat in the Cave. Coming suddenly out of the sunlight, his eyes would be filled with darkness. He might be required once more to deliver his opinion on those shadows, in competition with the prisoners who had never been released, while his eyesight was still dim and unsteady; and it might take some time to become used to the darkness. They would laugh at him and say that he had gone up only to come back with his sight ruined; it was worth no one's while even to attempt the ascent. If they could lay hands on the man who was trying to set them free and lead them up, they would kill him.

Yes, they would.

Every feature in this parable, my dear Glaucon, is meant to fit our earlier analysis. The prison dwelling corresponds to the region revealed to us through the sense of sight, and the fire-light within it to the power of the Sun. The ascent to see the things in the upper world you may take as standing for the upward journey of the soul into the region of the intelligible; then you will be in possession of what I surmise, since that is what you wish to be told. Heaven knows whether it is true; but this, at any rate, is how it appears to me. In the world of knowledge, the last thing to be perceived and only with great difficulty is the essential Form of Goodness. Once it is perceived, the conclusion must follow that, for all things, this is the cause of whatever is right and good; in the visible world it gives birth to light and to the lord of light, while it is itself sovereign in the intelligible world and the parent of intelligence and truth. Without having had a vision of this Form no one can act with wisdom, either in his own life or in matters of state.

So far as I can understand, I share your belief.

Then you may also agree that it is no wonder if those who have reached this height are reluctant to manage the affairs of men. Their souls long to spend all their time in that upper world—naturally enough, if here once more our

parable holds true. Nor, again, is it at all strange that one who comes from the contemplation of divine things to the miseries of human life should appear awkward and ridiculous when, with eyes still dazed and not yet accustomed to the darkness, he is compelled, in a law-court or elsewhere, to dispute about the shadows of justice or the images that cast those shadows, and to wrangle over the notions of what is right in the minds of men who have never beheld Justice itself.

It is not at all strange.

No; a sensible man will remember that the eyes may be confused in two ways—by a change from light to darkness or from darkness to light; and he will recognize that the same thing happens to the soul. When he sees it troubled and unable to discern anything clearly, instead of laughing thoughtlessly, he will ask whether, coming from a brighter existence, its unaccustomed vision is obscured by the darkness, in which case he will think its condition enviable and its life a happy one; or whether, emerging from the depths of ignorance, it is dazzled by excess of light. If so, he will rather feel sorry for it; or, if he were inclined to laugh, that would be less ridiculous than to laugh at the soul which has come down from the light.

That is a fair statement.

If this is true, then, we must conclude that education is not what it is said to be by some, who profess to put knowledge into a soul which does not possess it, as if they could put sight into blind eyes. On the contrary, our own account signifies that the soul of every man does possess the power of learning the truth and the organ to see it with; and that, just as one might have to turn the whole body round in order that the eye should see light instead of darkness, so the entire soul must be turned away from this changing world, until its eye can bear to contemplate reality and that supreme splendour which we have called the Good. Hence there may well be an art whose aim would be to effect this very thing, the conversion of the soul, in the readiest way; not to put the power of sight into the soul's eye, which already has it, but to ensure that, instead of looking in the wrong direction, it is turned the way it ought to be.

Yes, it may well be so.

It looks, then, as though wisdom were different from those ordinary virtues, as they are called, which are not far removed from bodily qualities, in that they can be produced by habituation and exercise in a soul which has not possessed them from the first. Wisdom, it seems, is certainly the virtue of some diviner faculty, which never loses its power, though its use for good or harm depends on the direction towards which it is turned. You must have noticed in dishonest men with a reputation for sagacity the shrewd glance of a nar-

row intelligence piercing the objects to which it is directed. There is nothing wrong with their power of vision, but it has been forced into the service of evil, so that the keener its sight, the more harm it works.

Quite true.

And yet if the growth of a nature like this had been pruned from earliest childhood, cleared of those clinging overgrowths which come of gluttony and all luxurious pleasure and, like leaden weights charged with affinity to this mortal world, hang upon the soul, bending its vision downwards; if, freed from these, the soul were turned round towards true reality, then this same power in these very men would see the truth as keenly as the objects it is turned to now.

Yes, very likely.

Is it not also likely, or indeed certain after what has been said, that a state can never be properly governed either by the uneducated who know nothing of truth or by men who are allowed to spend all their days in the pursuit of culture? The ignorant have no single mark before their eyes at which they must aim in all the conduct of their own lives and of affairs of state; and the others will not engage in action if they can help it, dreaming that, while still alive, they have been translated to the Islands of the Blest.

Quite true.

It is for us, then, as founders of a commonwealth, to bring compulsion to bear on the noblest natures. They must be made to climb the ascent to the vision of Goodness, which we called the highest object of knowledge; and, when they have looked upon it long enough, they must not be allowed, as they now are, to remain on the heights, refusing to come down again to the prisoners or to take any part in their labours and rewards, however much or little these may be worth.

Shall we not be doing them an injustice, if we force on them a worse life than they might have?

You have forgotten again, my friend, that the law is not concerned to make any one class specially happy, but to ensure the welfare of the commonwealth as a whole. By persuasion or constraint it will unite the citizens in harmony, making them share whatever benefits each class can contribute to the common good; and its purpose in forming men of that spirit was not that each should be left to go his own way, but that they should be instrumental in binding the community into one.

True, I had forgotten.

You will see, then, Glaucon, that there will be no real injustice in compelling our philosophers to watch over and care for the other citizens. We can fairly

collaborate: there they have sprung up, like a self-sown plant, in despite of their country's institutions; no one has fostered their growth, and they cannot be expected to show gratitude for a care they have never received. "But," we shall say, "it is not so with you. We have brought you into existence for your country's sake as well as for your own, to be like leaders and king-bees in a hive; you have been better and more thoroughly educated than those others and hence you are more capable of playing your part both as men of thought and as men of action. You must go down, then, each in his turn, to live with the rest and let your eyes grow accustomed to the darkness. You will then see a thousand times better than those who live there always; you will recognize every image for what it is and know what it represents, because you have seen justice, beauty, and goodness in their reality; and so you and we shall find life in our commonwealth no mere dream, as it is in most existing states, where men live fighting one another about shadows and quarrelling for power, as if that were a great prize; whereas in truth government can be at its best and free from dissension only where the destined rulers are least desirous of holding office."

Quite true.

Then will our pupils refuse to listen and to take their turns at sharing in the work of the community, though they may live together for most of their time in a purer air?

No; it is a fair demand, and they are fair-minded men. No doubt, unlike any ruler of the present day, they will think of holding power as an unavoidable necessity.

Yes, my friend; for the truth is that you can have a well-governed society only if you can discover for your future rulers a better way of life than being in office; then only will power be in the hands of men who are rich, not in gold, but in the wealth that brings happiness, a good and wise life. All goes wrong when, starved for lack of anything good in their own lives, men turn to public affairs hoping to snatch from thence the happiness they hunger for. They set about fighting for power, and this internecine conflict ruins them and their country. The life of true philosophy is the only one that looks down upon offices of state; and access to power must be confined to men who are not in love with it; otherwise rivals will start fighting. So whom else can you compel to undertake the guardianship of the commonwealth, if not those who, besides understanding best the principles of government, enjoy a nobler life than the politician's and look for rewards of a different kind?

There is indeed no other choice.

ARISTOTLE

THE IDEAL of social science as an independent critical inquiry into the conditions and prospects of human society goes back to the idea of political science found in the Greek philosophers, notably in Plato and Aristotle. Aristotle (384-322 B.C.), "the master of them that know," is one of the great seminal minds in the history of western culture and has been remembered recurrently in the history of ideas simply as "the Philosopher." Born in Stagira on the Thracian peninsula, Aristotle was the son of a physician attached to the Macedonian court. His early training was in medicine, and when he came to Athens at the age of seventeen in order to study at Plato's Academy he brought to bear upon his master's abiding preoccupation with theory the biological training and the practical concerns of the physician. Between 343 and 340 Aristotle returned to the Macedonian court as tutor to the future emperor, Alexander the Great. Aristotle's most productive years were those following 335-334, when he returned to Athens as leader and administrator of the famous school, the Lyceum, and it was during the twelve years in which he functioned in this capacity that most of his extant writings were composed. In 323 Aristotle, a resident alien and a philosopher besides, was forced to flee Athens after Alexander's death set loose a general tide of anti-Macedonian sentiment and left him without protection. Aristotle died in 322.

Aristotle was recognized by Cicero and others as a gifted writer, and a number of theories have been developed in order to explain the loose and choppy form in which his surviving works appear. It has been suggested that the works are either lecture notes written up by students or preliminary drafts of future works written by Aristotle himself. Another and competing hypothesis is that the works bearing Aristotle's name represent the cooperative enterprise carried on at the Lyceum under his leadership and supervision. In the case of *The Politics* the most defensible hypothesis represents the work as the product of Aristotle's own pen, but as having been written over a period of fifteen years without ever being subjected to the rewriting necessary to give it unity and completeness.

The tradition and the practice of natural science in Alexandria and the impressive Aristotelian contribution form the two principal sources of the modern scientific enterprise. Aristotle's investigations embraced practically the entire range of knowledge of his day, and in defining the specific fields to be surveyed by the separate disciplines he cut the paths that were followed, on the whole, by later scientific inquiry. Aristotle's *Politics* presents an idea of political science which has been a basis of practically all later political philosophies. In contrast to his predecessor Plato, who in *The Republic*, *The Statesman*, and *The Laws* was concerned to construct an ideal state as a standard of moral life, Aristotle places upon political science the additional obligation of canvassing the materials with which the statesman has to work and of estimating the limitations as well as the possibilities of existing situations. Consequently a twofold purpose runs through Aristotle's *Politics*. Books II, III, VII, and VIII deal with the ideal state. The second major theme of the *Politics* is worked out in Books IV, V, and VI, where Aristotle discussed

the practical considerations related to the framing of various types of constitution, to the question of political revolutions and their control, and to the proper organization of practicable forms of oligarchy and democracy. It was to provide the basis of such inquiries that Aristotle undertook to investigate the constitutional customs of one hundred and fifty-eight Greek cities—of which his treatise *The Athenian Constitution* (discovered in 1891) is alone extant. The fruitful combination of empirical investigation of the facts and the critical inquiry into their ideal possibilities forms Aristotle's distinctive idea of what political science ought to be.

Aristotle's *Politics* is the last great expression of life in that unique, tightly knit institution, the Greek city-state. In keeping with his regard for the city-state as the exclusive framework for a civilized political and moral life, Aristotle reaffirms what is a recurrent insistence in Plato—namely, that the community is the best teacher of virtue—and in a fashion typical of the thinkers of the Greek city-state he insists that in citizenship the highest human virtues are exercised. It is in keeping with this view that Aristotle considers the subject of his *Politics* and that of his *Ethics* to be closely interrelated, the problem of the individual good life culminating naturally in the problems of good citizenship and the statesman's art. The *Ethics* begins by introducing moral problems into the broader context of political considerations and ends with remarks concerning the effect of public laws upon private moral issues. The *Politics* follows the program that is laid down for it in the last paragraph of the *Ethics* and never loses sight of the fact that the state is justified insofar as it produces the highest attainable moral life. Aristotle's opening discussion of the state as the highest form of community, aiming at the best life possible, reflects the attempt of the city-state to serve as the self-sufficient and ultimate source and guarantor of distinctively human virtues.

Similarly, the degree to which the affairs of the Athenian *polis* entered into the lives of individual Athenians is reflected in Aristotle's discussion of the constitution of the state. The keynote of that discussion is struck in Aristotle's remark that the constitution of a Greek city is a "form of life" even more than it is a code of laws. It is in the attempt to analyze the circumstances under which the possibilities of such a way of life may be more fully realized that the distinguishing features of Aristotle's discussion of the constitution emerge. In the first place, Aristotle is insistent that constitutional questions must be construed in terms that are broadly cultural rather than narrowly political. In his discussion of the ideal state Aristotle criticizes Plato sharply and somewhat ironically for overlooking "the wisdom of ages" and insists that political wisdom is to be found, not in the impeccable dialectic of the professional philosopher or ruler, but in the growing stock of insights that accrues to public opinion in the course of time. Constitutional rule is the defining characteristic of the good state, not simply a makeshift meant to function in the absence of benevolent despots or philosopher kings. For good government is not the special province of the expert, but is the enterprise of a community of equals sharing a common fund of tradition and aspiration. In so conceiving politics as a function of general cultural conditions, not simply as a business of governmental administration, Aristotle lays down a program for political science which has been tremendously influential in subsequent political thought.

Though Aristotle wrote exclusively about city-state conditions, the political philosophies of the Hellenistic era did not abandon such theories, but adapted them to the world of empires. In place of the bias of Greek thinkers in favor of political

activity as the highest form of social life, there follows after the death of Aristotle the contrasting emphasis by Stoics, Cynics, and other schools upon the salvation of the individual soul—independent of and even in opposition to the enterprise of being a citizen. Hence civic virtue became a narrower ideal than that envisaged in the city-state in terms of active participation by individuals in public affairs and was limited to the notion of obedience to the laws and equal protection under them. Nevertheless, the ideals suggested, even if imperfectly, by life in the city-state, and incorporated into Aristotle's political inquiries, exert an influence in the transformed and enlarged arena of Hellenistic civilization. Alexander himself was attached to the ideal of free citizenship as a voluntary relationship between equals on the basis of law, and in his application of the ideal of constitutional rule, which had grown out of the intimate life of the Greek *polis*, he began a significant process of transformation, in which Greeks and Orientals united in a common state—something of which Aristotle had never dreamed. Aristotle's *Politics* have exerted their great influence not only through this transformation initiated by Alexander's attempt to make the *polis* apply to a world-empire but also by the transformation in Roman law and philosophy of the city-state into a world-wide state or cosmopolis governed by natural law.

The following selections from the *Politics* are in J. E. C. Welldon's translation from the Greek (London, 1883).



POLITICS

[Book I]

CHAPTER I

SEEING THAT EVERY STATE is a sort of association and every association is formed for the attainment of some Good—for some presumed Good is the end of all action—it is evident that, as some Good is the object of all associations, so in the highest degree is the supreme Good the object of that association which is supreme and embraces all the rest, in other words, of the State or political association.

Now it is wrong to confound, as some do, the functions of the constitutional statesman, king, householder and slavemaster. They hold that the difference between them is not one of kind, but depends simply upon the number of persons ruled, i.e. that a man is a slavemaster, if he has but few subjects; if he has more, a householder; if still more, a constitutional statesman or king, there being no distinction between a large household and a small State; also that a man is either a king or a constitutional statesman according as he governs absolutely or in conformity to the laws of political science, being alternately ruler and subject. Such an opinion is erroneous. Our meaning will be clear,

however, if we follow our usual method of investigation. For as in other cases we have to analyse a compound whole into the uncompounded elements which are its least parts, so in examining the constituents of a State we shall incidentally best ascertain the points of difference between the above-mentioned forms of government and the possibility of arriving at a scientific conclusion in regard to each of them.

CHAPTER II

Here, as elsewhere, the best system of examination will be to begin at the beginning and observe things in their growth.

There are certain primary essential combinations of those who cannot exist independently one of another. Thus male and female must combine in order to procreate children, nor is there anything deliberate or arbitrary in their so doing; on the contrary, the desire of leaving an offspring like oneself is natural to man as to the whole animal and vegetable world. Again, natural rulers and subjects combine for safety—and when I say “natural,” I mean that there are some persons qualified intellectually to form projects, and these are natural rulers or natural masters; while there are others qualified physically to carry them out, and these are subjects or natural slaves, so that the interests of master and slave are coincident.

Now Nature has differentiated females from slaves. None of Nature’s products wears a poverty-stricken look like the Delphian knife¹ as it is called that cutlers make; each has a single definite object on the principle that any instrument admits of the highest finish, only if it subserves a single purpose rather than several. Among non-Greek peoples on the other hand females and slaves stand on one and the same footing. The reason is that natural rulers do not exist among them, and the association they form consists of none but slaves male and female; hence the poets say

’Tis meet Greeks rule barbarians,²

implying the natural identity of barbarians or non-Greeks and slaves.

But to resume: the associations of male and female, master and slave constitute the primary form of household, and Hesiod was right when he wrote

Get thee

First house and wife and ox to plough withal,

for an ox is to the poor what a servant is to the rich.

Thus the association naturally formed for the supply of everyday wants is a household; its members, according to Charondas, are “those who eat of the

¹ [The Delphian knife was a knife intended to serve more purposes than one, and therefore not especially suited to any.]

² [Euripides, *Iphigenia in Aulis*, 1400.]

same store," or, according to the Cretan Epimenides "those who sit around the same hearth."

Again, the simplest association of several households for something more than ephemeral purposes is a village. It seems that the village in its most natural form is derived from the household, including all the children of certain parents and the children's children, or, as the phrase sometimes is, "all who are suckled upon the same milk."

This is the reason why States were originally governed by kings as is still the case with uncivilized peoples; they were composed of units accustomed to this form of government. For as each household is under the kingly government of its eldest member, so were also the offshoot-households as comprising none but blood-relations. It is this condition of things that Homer means when he describes *the Cyclopes* as

law-givers each
Of his own wives and children,

in allusion to their want of corporate life. This patriarchal government was universal in primitive times; in fact the reason why all nations represent the polity of the Gods as monarchical is that such originally was, if it is not still, their own polity, and men assimilate the lives no less than the bodily forms of the Gods to their own.

Lastly, the association composed of several villages in its complete form is the State, in which the goal of full independence may be said to be first attained. For as the State was formed to make life possible, so it exists to make life good. Consequently if it be allowed that the simple associations, *i.e. the household and the village*, have a natural existence, so has the State in all cases; for in the State they attain complete development, and Nature implies complete development, as the nature of anything, e.g. of a man, a house or a horse, may be defined to be its condition when the process of production is complete. Or *the naturalness of the State may be proved in another way*: the object proposed or the complete development of a thing is its highest Good; but independence *which is first attained in the State* is a complete development or the highest Good *and is therefore natural*.

Thus we see that the State is a natural institution, that Man is naturally a political animal and that one who is not a citizen of any State, if the cause of his isolation be natural and not accidental, is either a superhuman being or low *in the scale of civilization*, as he stands alone like a "blot" on the backgammon board. The "clanless, lawless, hearthless" man so bitterly described by Homer^a is a case in point; for he is naturally a citizen of no state and a lover

^a [*Iliad*, ix, 63, 64.]

of war. Also that Man is a political animal in a higher sense than a bee or any other gregarious creature is evident from the fact that Nature, as we are fond of asserting, creates nothing without a purpose and Man is the only animal endowed with speech. Now mere sounds serve to indicate sensations of pain and pleasure and are therefore assigned to other animals as well as to Man; for their nature does not advance beyond the point of perceiving pain and pleasure and signifying these perceptions to one another. The object of speech on the other hand is to indicate advantage and disadvantage and therefore also justice and injustice. For it is a special characteristic which distinguishes Man from all other animals that he alone enjoys perception of good and evil, justice and injustice and the like. But these are the principles of that association which constitutes a household or a State.

Again, in the order of Nature the State is prior to the household or the individual. For the whole must needs be prior to its part. For instance, if you take away *the body which is the whole*, there will not remain any such thing as a foot or a hand, unless we use the same word in a different sense as when we speak of a stone hand as a hand. For a hand separated from the body will be a disabled hand; whereas it is the function or faculty of a thing which makes it what it is, and therefore when things lose their function or faculty it is not correct to call them the same things but rather homonymous, *i.e. different things having the same name*.

We see then that the State is a natural institution, and also that it is prior to the individual. For if the individual as a separate unit is not independent, he must be a part and must bear the same relation to the State as other parts to their wholes; and one who is incapable of association with others or is independent and has no need of such association is no member of a State, in other words he is either a brute or a God. Now the impulse to political association is innate in all men. Nevertheless the author of the first combination whoever he was was a great benefactor of human kind. For man, as in his condition of complete development, *i.e. in the State*, he is the noblest of all animals, so apart from law and justice he is the vilest of all. For injustice is always most formidable when it is armed; and Nature has endowed Man with arms which are intended to subserve the purposes of prudence and virtue but are capable of being wholly turned to contrary ends. Hence if Man be devoid of virtue, no animal is so unscrupulous or savage, none so sensual, none so gluttonous. Just action on the other hand is bound up with the existence of a State; for the administration of justice is an ordinance of the political association and the administration of justice is nothing else than the decision of what is just.

CHAPTER III

Having now ascertained the constituent elements of the State, as every State is composed of households we must begin with a discussion of Domestic Economy.

There are various parts of Domestic Economy corresponding to the constituent parts of a household, which in its complete form comprises slaves and free persons. But as the right method of investigating anything is to reduce it to its elements and the primary or elementary parts of a household are master and slave, husband and wife, parent and children, we have to examine the true nature and character of these three relations, i.e. the relations of a slave-master to his slaves, of a husband to his wife and of a parent to his children. These three we may lay down as certain. But there is another part which is sometimes regarded as equivalent to the whole of Domestic Economy and sometimes as its principal part, and the truth is well worthy of investigation. I mean the so-called Art of Finance.

We will first consider the relations of master and slave in order to arrive at a practical conclusion and also, if possible, to frame some theory of the subject better than those now in vogue. There are some thinkers, as I said at the beginning of this treatise, who hold that the ownership of slaves is a science and identify the functions of the householder, the slavemaster, the constitutional statesman and the king. Others again regard slaveowning as doing violence to Nature on the ground that the distinction of slave and free man is wholly conventional and has no place in Nature, and is therefore void of justice, as resting on mere force.

CHAPTER IV

Property then is a part of the household and the Art of acquiring property a part of Domestic Economy, inasmuch as without certain necessities it is impossible to live happily or indeed to live at all. Nor can the art of the householder any more than any definite art dispense with its proper instruments, if its work is to be adequately performed. Instruments however may be animate or inanimate. In the case e.g. of a pilot, the tiller is an inanimate instrument, the "lookout" an animate one; in fact in every art an assistant is virtually an instrument. Thus we conclude that any given property is an instrument conducing to life, property as a whole is a mass of instruments, a slave is an animate property, and every assistant may be described as a single instrument doing the work of several. For suppose that every instrument could obey a person's orders or anticipate his wishes and so fulfil its proper function like the legendary

figures of Daedalus or the tripods of Hephaestus which, if we may believe the poet,

Entered self-moved the conclave of the Gods,

suppose, I say, that in like manner combs were in the habit of combing and quills of playing the cithern of themselves, mastercraftsmen would have no need of assistants nor masters of slaves. While then instruments in the common use of the term are instruments of production, a property is an instrument of action; that is to say, while a comb is not only used but produces something else, a coat or a bed can only be used. And as there is this difference of kind between production and action and instruments are necessary to both, it follows that there must be a corresponding difference in the instruments. Now life consists not in production but in action; and as *every property is an instrument conducing to existence, and a slave is an animate property*, it follows that a slave is an assistant in the sphere of action.

The term "property" may be compared to the term "member," in that a member is not only a member of something else but belongs wholly to that something, and the same is true of a property. Thus while a master is master of his slave but in no sense belongs to him, a slave is not only the slave of a certain master but belongs wholly to his master.

These facts clearly prove the nature and faculty of the slave. A natural slave is one who, although a human being, is naturally not his own master but belongs to someone else. Now this is the case with a human being when he is nothing more than a property, and a property means any instrument of action which has a separate existence, *i.e. is not a mere part of the person who uses it.*

[Book III]

CHAPTER I

In any inquiry into the nature and character of particular polities we may say that the first point to be considered is the nature of the State. At present there is often a difference of opinion, as one party asserts that it is the State which has done a certain action, and another that it is not the State but the Oligarchy or the Tyrant *by whom it was governed. Also it is necessary to settle this point, as a State is the sphere in which all the activity of a statesman or legislator is displayed, and the polity itself is nothing more than a certain order of the inhabitants of the State. But as the State belongs to the category of compound things, like anything else which is a whole but composed of many parts, it is clear that we must first investigate the conception of the citizen; for the State*

is composed of a number of citizens. We have to inquire then to whom the title "citizen" belongs, or, in other words, what is the nature of a citizen. For the conception of the citizen as of the State is often disputed, nor is the world agreed in recognizing the same person as a citizen. Thus it often happens that one who is a citizen in a Democracy is not a citizen in an Oligarchy.

Now putting out of sight persons who acquire the title of citizen in some exceptional way, e.g. honorary citizens, we may lay it down that it is not residence which constitutes a citizen, as the qualification of residence belongs equally to aliens settled in the country and to slaves. Nor again does citizenship consist simply in the participation in legal rights to the extent of being party to an action as defendant or plaintiff, for this is a qualification possessed equally by the members of different States who associate on the basis of commercial treaties. (It may be observed that in many places resident aliens are not admitted to the full enjoyment even of these legal rights, but are obliged to put themselves under the protection of a patron. It is only in a certain imperfect sense then that they are members of an association so constituted.) Such persons on the contrary are much in the same position as children who are too young to be entered upon the register of the deme or old men who are exempted from civil duties; for although these classes are to be called citizens in a certain sense, it is not in a sense quite absolute and unlimited, but with some such qualifying word as "immature" or "superannuated" or the like, it does not matter what. Our meaning at least is plain; we want a definition of the citizen in the absolute sense, one to whom no such exception can be taken as makes it necessary to correct our definition. For difficulties of a similar kind may be discussed and settled respecting persons who have been disfranchised or exiled. There is nothing whereby a citizen in the absolute sense is so well defined as by participation in judicial power and public office. But the offices of State are of two kinds. Some are determinate in point of time; thus there are certain offices which may never in any circumstances or may only after certain definite intervals be held a second time by the same person. Other officers again are perpetual, e.g. jurors and members of the public Assembly. It will be objected perhaps that jurors and members of the public Assembly are not officers of State at all and that their functions do not invest them with an official status; although it is ridiculous to deny the title of "officers" to the supreme authorities in the State. But this matter we may regard as unimportant; it is a mere question of name. The fact is that there is no word to express rightly the common function of a juror and a member of the public Assembly. Let us call it for distinction's sake a perpetual office. Citizens then we may define as those who participate in judicial and deliberative office.

This is perhaps the definition of a citizen which is most appropriate to all

who are so called. It is to be observed however that, where things included under a general head are specifically different and one is conceived of as first, another as second and another as third, there is either no characteristic whatever common to them all as such, or the common characteristic exists only in a slight degree. But polities, as we see, differ specifically from each other, some are later and others earlier; for the corrupt or perverted forms are necessarily later than the uncorrupted. What we mean by perverted forms will appear hereafter. It follows then that the citizen in each polity must also be different. Accordingly it is principally to the citizen in a Democracy that our definition applies; it is possibly true in the other polities, but not necessarily. For in some there is no democratical element, nor are there any regular public assemblies but only extraordinary ones, and the administration of justice is divided among various boards, as e.g. at Lacedaemon, where different civil cases are decided by different Ephors, cases of homicide by the Senate and no doubt other cases by some other magistracy. It is the same at Carthage, where all suits are tried by certain magistrates. However, *we need not give up* our definition of a citizen, as it admits of correction. For in all polities except Democracy the right of voting in the Assembly and of acting as jurors belongs not to perpetual officers but to persons whose term of office is strictly defined; as it is either to such officers collectively or to some of them that judicial and deliberative functions, whether upon all or upon certain matters only, are assigned.

Thus we see clearly the nature of the citizen. One who enjoys the privilege of participation in deliberative or judicial office—he and he only is, according to our definition, a citizen of the State in question, and a State is in general terms such a number of persons thus qualified as is sufficient for an independent life.

CHAPTER IV

. . . We have now to consider whether the virtue of a good man and of a virtuous citizen is to be regarded as identical or different.

But if we are to investigate this point, we must first ascertain roughly the virtue of a citizen. A citizen then like a sailor may be described as a member of a society. And although the sailors have different faculties, one being an oarsman, another a pilot, a third a "look-out" man, and a fourth having some other similar title, it is evident that, while the most exact definition of the virtue or excellence of each will be exclusively appropriate to the individual, there will at the same time be a common definition applicable to all. For safety in navigation is the object they all have in view; it is this that every sailor strives for. Similarly then in the case of the citizens, although they are different, yet

it is the safety of the association or in other words of the polity which is their object; and hence the virtue of the citizen is necessarily relative to the polity.

Assuming then that there are several kinds of polity, we see that the virtuous citizen *in all polities* cannot have a uniform perfect virtue, whereas it is a uniform perfect virtue which in our theory is characteristic of the good man. It is therefore clearly possible to be a virtuous citizen without possessing the virtue characteristic of a virtuous man. However we may investigate and discuss the same question in a different way by taking the case of the best polity. If we assume the possibility of a State consisting solely of virtuous members, still each of them is bound to perform his own work well, and this is itself a result implying virtue; but as all the citizens cannot be alike, it follows that *in this case as in others* the virtue of a good citizen and a good man cannot be one and the same. For the virtue of the virtuous citizen must be possessed by all the citizens of this State, as otherwise it cannot be the best possible; but it is impossible that they should all possess the virtue of the good man, unless the citizens of the virtuous State must all be alike, *which is contrary to the conception of a State*. Again *we may put the matter thus*: Since the members of the State are dissimilar, and, as an animal e.g. consists of soul and body, soul of reason and appetite, and a household of husband and wife, master and slave, so too a State consists of all these and of other dissimilar elements besides, it follows that the virtue of all the citizens can no more be one and the same than the virtue of a leader and a subordinate member of a chorus.

That the virtue of a virtuous citizen and a virtuous man is not absolutely the same is evident from these considerations. But will there be certain cases in which they are the same? We say that the virtuous ruler combines goodness and prudence, whereas prudence is not indispensable to the citizen. Nay it is sometimes said that the very education of a ruler is different *from that of a subject*, as in fact we see that the sons of kings, *unlike ordinary citizens*, are educated in horsemanship and strategy, and Euripides

No fineries be theirs
But only the State's needs,⁴

where, *as speaking of young princes*, he implies that there is a special education suitable to a ruler. If then the virtue of a good ruler and a good man is identical, and the subject as well as the ruler a citizen, it follows that the virtue of a citizen and a man will be identical, not absolutely but only in the case of certain citizens; for the virtue of a ruler *who can never be a subject* and of an ordinary citizen is not the same, and it is this fact probably which gave rise to the saying of Jason of *Pherae* that he was hungry whenever he was not a

⁴ [A line from the lost play of Euripides, *Aeolus*.]

tyrant, meaning that he did not understand how to live as a private person. It must be confessed however that the capacity for rule and subjection alike is generally lauded, and that the virtue of a citizen is held to consist in the ability to be both an excellent ruler and an excellent subject. If then we define the virtue of the good man as suited to a position of rule, and that of the good citizen as equally suited to rule and subjection, the union of the two qualities cannot be so laudable as is supposed. *Perhaps however the difficulty may be solved in this way.* As it appears that there are some cases where ruler and subject ought to learn both rule and subjection, and other cases where they ought to learn one only, it may be seen from the following considerations that the citizen understands and participates in both. There is such a thing as the rule of a slave-master over slaves; its sphere, as we understand it, is the bare necessities of life, the use rather than the production of which must necessarily be understood by the ruler. The other side of this relation is absolutely slavish; I mean the capacity for performing acts of menial service. But under the term "slave" we recognize various species, as the occupations of a slave are various. One class of slaves consists wholly of manual labourers, i.e., as the name itself implies, of those who live by the work of their hands, among whom is the mechanical artisan. It is on this account, *i.e. because artisans are necessarily slavish*, that in some States the handicraftsmen were of old excluded from public office until the extreme development of Democracy. The functions proper to subjects of this description are not such as should be learnt by any good man or statesman or citizen, except occasionally for the satisfaction of his personal wants; else the relation of master and slave ceases to exist. On the other hand, there is a species of rule where the subjects are the equals of the ruler in birth and free persons, viz. constitutional rule, as we define it, which the ruler must needs learn by being a subject, as e.g., Cavalry-generalship by first serving under a Cavalry general, or Infantry-generalship by first serving under an Infantry general and holding the command of a company *as at Athens*, or a corps *as at Lacedaemon*. Hence it is said and said with truth that the only way to be a good ruler is to be a subject first. But as there is a difference in the virtue of rulers and subjects, the good citizen should possess the knowledge and ability to be both; in fact the virtue of a citizen may be defined as a practical acquaintance both as ruler and subject with the rule characteristic of a free community. Also a good man is capable of rule and subjection alike, although the temperance and justice proper to rule are different in kind from those which are proper to subjection. For in the case of one who being a subject is still a free man, *and therefore enjoys his share of rule*, it is clear that his virtue, if he is good, e.g., his justice will not be uniform but will comprise

a variety of species corresponding to the position which he will hold now as ruler and now as subject, in the same way as there are differences between the temperance and courage of a man and a woman. Thus a man would be considered a coward who was only as brave as a brave woman, and a woman as a chatterbox, who was only as modest as a good man. For the domestic duties of man and woman are distinct, the function of the man being to acquire and of the woman to preserve. But *of all the virtues* prudence is the only one which belongs exclusively to a ruler; all the rest must, as it seems, belong equally to rulers and subjects. Whereas, if we consider the case of subjects, it is not prudence but true opinion which is a virtue proper to them; for the subject may be compared to a flute-maker and the ruler to a flute-player who uses the instrument.

These considerations furnish an answer to the question whether the virtue of a good man and a virtuous citizen is the same or different, and in what sense it is either one or the other.

CHAPTER VI ⁵

This being determined, we have next to consider whether it is right to assume a single polity or several, and, if several, what is the nature of each, and how many there are, and what are the points of distinction between them. A polity may be defined as an order of the State in respect of its offices generally and especially of the supreme office. For the governing class is everywhere supreme in the State, and the nature of the polity is determined by the governing class. I mean e.g. that it is the commons who are supreme in a Democracy and the Few on the other hand in an Oligarchy, and *accordingly* we call their polities distinct. The same remark may be extended to all the rest; *if the governing class is different, so is the polity.*

We must begin by laying down (1) the object for which a State is framed and (2) the various kinds of rule which may be exercised over man in his social existence.

It has been stated at the very outset of our treatise in the discussion of Domestic Economy and the government of slaves that Man is naturally a political animal, and consequently, even where there is no need of mutual service, men are none the less anxious to live together. Still it cannot be denied that the common advantage of all is also a motive of union, *more or less operative* according to the degree in which each individual is capable of the higher life. Although to the citizens, both collectively and individually, this higher

⁵ [In the preceding chapter Aristotle determines that eligibility to the honors of the state and to public office are the most exact marks of citizenship.]

life is emphatically the end proposed, yet life itself is also an object for which they unite and maintain the corporate political association; for it is probable that some degree of the higher life is necessarily implied in merely living, unless there is a great preponderance of hardship in the life. Certain it is that the majority of men endure much suffering without ceasing to cling to life—a proof that a certain happiness or natural sweetness resides in it.

But to proceed to the second point: it is not difficult to distinguish the forms of rule which are generally recognized; for even in our unscientific discourses we often discuss and determine their character. In the government of slaves, although the interests of natural slave and natural master are really identical, yet the object of the rule is nevertheless the interest of the master and is that of the slave only incidentally, because, if the slave is destroyed, it is impossible that the master's government should be maintained. On the other hand, in the rule of children or a wife or a whole household, which in our terminology is economic rule, the end is either the good of the subjects or some common good of rulers and subjects alike, i.e. it is essentially the good of the subjects, as we see in the other arts such as Medicine and Gymnastic, although it may perhaps incidentally be also the good of the rulers themselves. For there is no reason why the gymnastic trainer should not himself be occasionally one of the gymnasts, as the pilot is invariably one of the crew. And thus while the trainer or pilot has in view *not his own interest but* the interest of those who are under him, yet in any case where he himself shares their position he enjoys incidentally the same benefit as they do; for the one becomes a sailor and the other one of the gymnasts, although he is a trainer. *It is because the object of political rule is the benefit of the subjects* that in any State framed on the principle of equality and similarity among the citizens a claim is put forward for an alteration of rule. It was originally claimed, as is natural enough, that all should serve the State in turn, and that, as each citizen during his period of rule or office had already paid regard to the interest of another, so that other should in turn pay regard to his. But nowadays the profits derivable from the public service and an official status create a desire for perpetuity of office; it is as though the officers of State, being invalids, were to enjoy good health *during all their term of power*, in which case it is probable that they would be equally eager for office.

It is evident then that all such polities as regard the good of the community are really normal according to the principle of abstract justice, while such as regard the private good of the rulers are all corruptions or perversions of the normal polities; for the relations of rulers to the subjects in them are like the relations of a master to his slaves, whereas the State is *properly* a society of free persons.

CHAPTER VII

Having now settled these points, we have next to consider the number of different polities and their nature. We will begin with the normal polities; for when they are determined the perverted forms will be evident at once.

As in any State the polity and the governing class are virtually the same, *i.e. the polity is determined by the governing class*, as the governing class is the supreme authority in a State, and as supreme power must be vested either in an individual or in a Few or in the Many, it follows that, when the rule of the individual or the Few or the Many is exercised for the benefit of the community at large, the polities are normal, whereas the polities which subserve the private interest either of the individual or the Few or the masses are perversions; for either the members of the State do not deserve the name of citizens, or they ought to have a share in its advantages. The form of Monarchy in which regard is paid to the interest of the community is commonly known as Kingship, and the government of the Few, although of a number exceeding one, for the good of all, as Aristocracy, whether because the rule is in the hands of the best citizens (*οἱ ἀριστοὶ*) or because they exercise it for the best interests (*τὸ ἀρίστον*) of the State and all its members; while when it is the masses who direct public affairs for the interest of the community, the government is called by the name which is common to all the polities, *viz.* a Polity. The result in this case is such as might have been expected. For although it is possible to find an individual or a few persons of eminent virtue, it can hardly be the case that a larger number are perfectly accomplished in every form of virtue; at the best they will be accomplished only in military virtue, as it is the only one of which the masses are capable. The consequence is that in this polity, *viz. the Polity proper*, the military class is supreme, and all who bear arms enjoy full political privileges.

As perverted forms of the polities just mentioned we have Tyranny by the side of Kingship, Oligarchy of Aristocracy and Democracy of Polity. For Tyranny is monarchical rule for the good of the monarch, Oligarchy *the rule of a Few* for the good of the wealthy, and Democracy *the rule of the Many* for the good of the poor; none of them subserves the interest of the community at large.

CHAPTER VIII

But we ought to describe at rather greater length the nature of these several polities, as the matter is one which presents certain difficulties, and it is proper that a philosophical inquirer in any subject, who looks at something more

than the merely practical side, should not ignore or omit any point but should bring to light the actual truth in all.

Tyranny is, as has been said, a form of Monarchy corresponding in the political association to the rule of a master over his slaves; Oligarchy a government where the supreme power in the polity is vested in the propertied classes; Democracy, on the contrary, a government where it is vested in those who possess no considerable property, i.e. the poor. But there is an initial difficulty in this definition. Democracy being defined as a polity in which the masses are supreme, suppose the supreme authority in the State were to reside in the majority who are rich; or similarly, to take the converse case, the polity being called an Oligarchy where a small number of persons are supreme, suppose it happens somewhere or other that the supreme power is in the hands of the poor who are stronger although less numerous than the rich; it would seem that our definition of the polities is unsatisfactory in these cases. On the other hand, if we combine numerical minority with wealth and numerical majority with poverty, and designate the polities accordingly as an Oligarchy where the offices of State are in the hands of the rich being a minority, and a Democracy where they are in the hands of the poor being a majority, there is here another difficulty. How are we to describe the polities we mentioned just now, viz. where the rich being a majority or the poor being a minority are respectively supreme in the State? For there is no other polity besides those we have named. It seems then to be proved by our argument that the small or large number of the class which is supreme in the State is only an accident of Oligarchies on the one hand and Democracies on the other, owing to the fact that the rich are few and the poor numerous all the world over. Accordingly the polities above mentioned, viz. *where the rich are a majority or the poor a minority*, do not in fact constitute exceptions. The really distinctive characteristics of Democracy and Oligarchy are poverty and wealth; and it is a necessary law that wherever wealth constitutes the title to rule, whether the rulers are a minority or a majority, the polity is an Oligarchy, whereas, if the poor are rulers, it is a Democracy. But as a matter of fact it happens, as we said, that in the one case the rulers are few and in the other many; for there are only few people who are wealthy, whereas liberty is enjoyed by all alike, and wealth and liberty are the grounds upon which the two parties respectively base their claim to be masters of the polity.

CHAPTER IX

In endeavouring to estimate the claims of the two parties, we must first ascertain what are the definitions they give of Oligarchy and Democracy, and what is the principle of justice characteristic of the one or the other. For Oligarchs

and Democrats agree in this, that they both adhere to a certain principle of justice; but they do not advance beyond a certain point or put forward a full statement of justice in the proper sense of the word. Thus the one party, *i.e., the Democrats*, hold that justice is equality; and so it is, but not for all the world but only for equals. The others, *i.e. the Oligarchs*, hold that inequality is just, as indeed it is, but not for all the world but only for unequals. Both put out of sight one side of the relation, *viz.* the persons *who are to enjoy the equality or inequality*, and *consequently* form a wrong judgment. The reason is that they are judging of matters which affect themselves, and we are all sorry judges when our personal interests are at stake. And thus whereas justice is a relative term and, as has been already stated in the *Ethics*,⁶ implies that the ratio of distribution is constant in respect of the things distributed and the persons who receive them, the two parties, while they are of one mind about the equality of the thing, differ as to what constitutes equality in the recipients, principally for the reason just alleged, *viz.* that they are bad judges where their own interests are concerned, but secondly also because the fact that each maintains a certain principle of justice up to a certain point is one which itself leads them to suppose that they are maintaining a principle of justice in the absolute sense. For the Oligarchs, if they are superior in a particular point, *viz.* in money, assume themselves to be superior altogether; while the Democrats, if they are equal in a particular point, *viz.* in personal liberty, assume themselves to be equal altogether. But they omit the point of capital importance. If a multitude of possessions was the sole object of their association or union, then their share in the State is proportionate to their share in the property, and in this case there would seem to be no resisting the argument of the oligarchical party that, where there is, *e.g.* a capital of one hundred minae, the contributor of a single mina ought not in justice to enjoy the same share either of the principal or of the profits accruing as a person who has given the remaining ninety-nine. But the truth is that the object of their association is to live well—not merely to live; otherwise slaves and the lower animals might form a State, whereas this is in fact impossible, as they are incapable of happiness or of a life regulated by a definite moral purpose, *i.e. of the conditions necessary to a State*. Nor is the object military alliance and security against injury from any quarter. Nor again is the end proposed barter and intercommunion; for, if it were, the Tyrrhenians and Carthaginians and all such nations as are connected by commercial treaties might be regarded as citizens of a single State. Among them there certainly exist contracts in regard to Customs, covenants against mutual injury and formal articles of alliance. But there are no magistracies common to all the contracting parties instituted

⁶ [Book V, chap. vi.]

to secure these objects, but different magistracies exist in each of the States; nor do the members of the one feel any concern about the right character of members of the other or about the means of preserving all who come under the treaties from being unjust and harbouring any kind of wickedness or indeed about any point whatever, except the prevention of mutually injurious actions. Virtue and vice on the other hand are matters of earnest consideration to all whose hearts are set upon good and orderly government. And from this fact it is evident that a State which is not merely nominally but in the true sense of the word a State should devote its attention to virtue. To neglect virtue is to convert the political association into an alliance differing in nothing except in the local contiguity of its members from the alliances formed between distant States, to convert the law into a mere covenant, or, as the sophist Lycophron said, a mere surety for the mutual respect of rights, without any qualification for producing goodness or justice in the citizens. But it is clear that this is the true view of the State, *i.e. that it promotes the virtue of its citizens*. For if one were to combine different localities in one, so that e.g. the walls of Megara and Corinth were contiguous, yet the result would not be a single State. Nor again does the practice of intermarriage necessarily imply a single State, although intermarriage is one of the forms of association which are especially characteristic of States. So too if we suppose the case of certain persons living separately, although not so far apart as to prevent association, but under laws prohibitive of mutual injury in the exchange of goods, if we suppose e.g. *A* to be a carpenter, *B* a husbandman, *C* a cobbler, *D* something else, and the total to amount to ten thousand, but their association to be absolutely confined to such things as barter and military alliance, here again there would certainly not be a State. What then is the reason? It is assuredly not the absence of local contiguity in the association. For suppose the members were actually to form a union upon such terms of association as we have described, suppose at the same time that each individual were to use his own household as a separate State, and their intercourse were limited as under the conditions of a defensive alliance to rendering mutual assistance against aggression, still the conception of a State in the strict view would not even then be realized, if their manner of social dealings after the union were to be precisely the same as when they lived apart.

It is clear then that the State is not merely a local association or an association existing to prevent mutual injury and to promote commercial exchange. So far is this from being the case that, although these are indispensable conditions, if a State is to exist, yet all these conditions do not necessarily imply a State. *A State on the contrary is first realized when there is an association of households and families in well living with a view to a complete and inde-*

pendent existence. (This will not be the case, however, unless the members inhabit one and the same locality and have the practice of intermarriage.) It is for this reason that there were established in the different States matrimonial connexions, clanships, common sacrifices and such amusements as promote a common life. But all this is the work of friendship, for the choice of a common life implies *no more than* friendship. And thus while the end of a State is living well, these are only means to the end. A State on the contrary is the association of families and villages in a complete and independent existence or in other words, according to our definition,⁷ in a life of felicity and nobleness. We must assume then that the object of the political association is not merely a common life but noble action. And from this it follows that they who contribute most to the association, as so conceived, possess a larger interest in the State than they who are equal or superior in personal liberty or birth but inferior in political virtue, or than they who have the superiority in wealth but the inferiority in virtue.

CHAPTER X

It is evident then from our observations that in the controversy respecting the different politics each party is the representative of a certain partial justice. It is difficult however to decide what ought to be the supreme authority in the State. It must be either the masses or the rich or the respectable classes or an individual of preeminent merit or a tyrant. But all these suppositions appear to involve awkward consequences. For suppose the poor, as being a majority, distribute among themselves the property of the rich, is such action not unjust? *No*, it may be said, for it was decreed by the supreme authority in the State and *therefore* justly decreed. What then are we to describe as the height of injustice, *if not this*? Or again, take the whole body of citizens and suppose that the majority distribute among themselves the property of the minority, it is evident that they thereby destroy the State. But it is certainly not the virtue of anything which destroys its possessor, nor can justice be destructive to a State. It is evident then that such a law as we have supposed cannot be just. Again, the same hypothesis would inevitably justify all the actions of a tyrant, as his oppression depends upon superior strength, like the oppression of the wealthy by the masses. Well then, is it just that rule should be in the hands of the minority or the propertied class? But on that hypothesis, if the minority adopt the same line of action, if they plunder the masses and despoil them in their possessions, is such action just? If it is, so was the action of the majority in the former case. That all such conduct then is wrong and unjust is indisputable. Ought then the respectable classes to enjoy rule and supreme power?

⁷ [The definition given in Book X of the *Ethics*.]

But if so, it is a necessary consequence that all the rest of the citizens are excluded from honours, as they do not enjoy the honour of political office. For we regard the offices of State as public honours; and if they are always in the hands of the same persons, it follows that all others are excluded from honour. Is then the rule of the most virtuous individual to be preferred? It may be objected that this is a system still more oligarchical than the last, as it involves the exclusion of a still larger number from honour.

Perhaps however it will be urged that there is an evil in the supremacy of any human being with his liability to the emotions incident to the soul, and that the law ought rather to be supreme. But on that hypothesis, if the law is oligarchical or democratical, what difference will it make to the difficulties we have raised? The difficulties already described will still meet us.

CHAPTER XI

We may defer for the present the discussion of all these cases except one. But the theory that supreme power should be vested in the masses rather than in a few persons, although they are the best, is one which would seem to be refuted *by the remarks we have made*; and indeed there is a certain difficulty involved in it, although there is probably also a certain degree of truth. For it is possible that the Many, of whom each individual is not a virtuous man, are still collectively superior to the few best persons, i.e. *superior* not as individuals but as a body, as picnics are superior to feasts supplied at the expense of a single person. For as the total number is large, it is possible that each has a fractional share of virtue and prudence and that, as the multitude collectively may be compared to an individual with many feet, hands and senses, so the same is true of their character and intelligence. It is thus that the Many are better judges *than the Few* even of musical and poetical compositions; for some judge one part, some another, and all of them collectively the whole. But the point in which virtuous men are superior to any ordinary persons is the same in which handsome people, it is said, are superior to those who are not handsome and the representations of art to the realities, viz. that the features which *in real life* are distributed among a number of objects are *in the works of art* collected into one; for, if we take each feature by itself, the eye of one *living person* and another part of another are more beautiful than those in the painting. Whether the superiority of the Many to the few virtuous persons is possible, whatever be the character of the commons or the masses, is uncertain, or perhaps in some cases it is plainly impossible. For the same line of argument would be equally applicable to the lower animals. *It would be absurd however to pretend that a number of the lower animals are superior to a few men*; yet there are human beings who may be described as not ap-

preciably superior to the lower animals. At the same time there do exist masses of people in whose case our theory is open to no objection.

These considerations then supply us with an answer to the question which was raised before, *viz. what ought to be the supreme authority in the State*, as well as to one closely connected with it, *viz. what should be the limits set to the authority of the free citizens or the masses, i.e. of all who are not wealthy and do not enjoy any especial reputation for virtue?* There is a certain danger in their eligibility to the highest offices of State, a danger that injustice on the one hand will lead them into crime, and folly on the other hand into error; whereas their exclusion in theory and practice from all office is a condition of things which may well inspire alarm, as there never exists a large body of persons excluded from all honours or of poor, but the State of which they are members is sure to have a large number of enemies within its pale. It remains then that they should participate in deliberative and judicial functions. It is in accordance with this view that various law-givers, and Solon among the number, empower the commons to elect officers of State and to hold them responsible, but deny them all individual tenure of office. For in their collective capacity they possess an adequate perceptive power and by admixture with their superiors subserve the interests of the State, in the same way as adulterated food if mixed with unadulterated makes the whole more nutritious than the small amount of *unadulterated food* would have been, although individually each has but an imperfect faculty of judgment.

There are however difficulties incident to this system of polity; first, that the faculty of judging, e.g., who has adopted a right course of medical treatment would seem to belong exclusively to the person who is also capable of treating the patient medically and restoring him from his actual malady to health, in other words to the physician. The same is true of any other art empirical or scientific. It may be argued then that, as a physician should be responsible to physicians, so should any other class of persons be responsible to their peers. The answer is that the word "physician" may mean either the ordinary medical practitioner or the scientific student of medicine, or, thirdly, one who has just mastered the principles of the art; there is hardly any art in which we do not find persons answering to these three classes, and the right of judgment is assigned as much to those who have merely mastered the principles as to those who possess a scientific knowledge of the subject. And secondly the same appears to be the case in regard to the election of officers. The right exercise of the elective power, *it may be urged*, as well as of the power of scrutiny is the function exclusively of those who are masters of the science. Thus a geometrician or a pilot ought to be elected solely by persons who understand geometry or navigation. Even granted that there are some

occupations and arts in which certain non-professional persons have a vote in the election, they certainly do not exercise a greater influence than the experts. According to this theory then it is inadvisable to entrust the masses with final authority either in electing officers of State or in holding them responsible. It is probable however that there is some mistake in this mode of argument, partly—unless the character of the masses is absolutely slavish—for the reason already alleged, that, although individually they are worse judges than the experts, yet in their collective capacity they are better or at least as good, and partly because there are some subjects in which the artist himself is not the sole or best judge, viz. all subjects in which the results produced are criticized equally well by persons who are not masters of the art. Thus it is not the builder alone whose function it is to criticize the merits of a house; the person who uses it, i.e. the householder, is actually a better judge, and similarly a pilot is a better judge of a helm than a carpenter or one of the company of a dinner than the cook.

This difficulty we may perhaps regard as being thus satisfactorily settled. There is another however closely connected with it. Is it not an absurdity, it is often said, to invest the lower orders with supreme authority in matters of higher moment than the respectable classes? Yet there are no more momentous duties than those of electing officers of State and holding them responsible, and it is just these which in some polities, as has been already remarked, are conferred upon the commons. For the Public Assembly is supreme in all such matters, although the members of the Assembly, the Council and the Law-courts need not be persons of large property or of suitable age, whereas a higher property qualification is required for lords of the treasury, generals and the highest officers of State. Yet this difficulty admits of a similar solution. It may reasonably be argued that the existing state of things is right. For it is not the individual juror or the individual member of the Council or Assembly who exercises official power but the whole Court or Council or body of commons, of which the individuals specified are but fractions. It is as a mere fraction *of the whole and so deriving all importance from the whole* that I conceive of the individual member of the Council, Assembly or Law-court. Hence it is right that the masses should control greater interests *than the Few*, as there are many members of the commons, the Council or the Law-court, and the actual collective property of them all exceeds the property of those who hold high offices of State as individuals or in limited bodies.

With this discussion of these points we must be content. But the initial difficulty we mentioned *as to the supreme authority in the State* brings out nothing so clearly as that it is the laws, if rightly enacted, which should be supreme, and that the officers of State, whether one or many, should have supreme au-

thority only in those matters upon which it is wholly impossible for the laws to pronounce exactly because of the difficulty of providing in a general statement for all cases. What should be the character of the laws if rightly enacted has not yet been ascertained; on the contrary our old difficulty still remains. This only is indisputable, that the laws enacted are necessarily relative to the polity in which they exist. But if this is the case, it is evident that the laws adapted to the normal polities are necessarily just, whereas those adapted to the perverted polities are unjust.

CHAPTER XII

We have seen that in all sciences and arts the end proposed is some Good, that in the supreme of all sciences and arts, i.e. the political faculty, the end is preeminently the highest Good and that justice or in other words the interest of the community is the political Good. We have seen too that justice is universally regarded as a species of equality, and that up to a certain point, if not further, the conclusions of the philosophical arguments, in which ethical questions have been discussed and determined, are accepted on all hands, in so far as it is admitted that the notion of justice implies a thing to be given and persons to receive it, and that equals ought to receive an equal share. We have therefore to ascertain the characteristics which constitute personal equality or inequality—a difficult question which can be settled only by the aid of political philosophy.

It may perhaps be urged that superiority in respect of any and every Good should be a ground for an unequal distribution of public offices, if the persons were absolutely alike in all other respects, as any difference in the persons constitutes a difference in their rights and deserts. Yet, if this is true, complexion, stature or any other Good will equally entitle persons to a preference in political rights. But the falsity of this position is apparent on the surface, as may be seen in any other science or faculty. For instance, if there are several flute-players of equal skill, it is not right to give the persons of higher birth a preference in the flutes, for their birth will not make them better flute-players, and the superior instruments ought to be given to the superior performers. If our point is still obscure, it will be plain if we carry the illustration a little further. Suppose there is a person superior to others in the art of flute-playing, but far inferior in nobility of birth or beauty, even granting that nobility and beauty are severally greater Goods than skill upon the flute, and that their superiority to skill upon the flute is proportionally greater than the superiority of our supposed individual *to others* in flute-playing, still it is to him that we must give the finest flutes. For, *if we are to have regard to wealth and nobility in assigning the flutes*, superiority in these

respects ought to contribute in some degree to the excellence of the performance; whereas they do not contribute at all. And further, the theory is one which would lead us to regard any Good whatever as comparable with any other Good. For if a certain amount of stature is preferable *to a certain amount of wealth or freedom*, it follows that stature generally may be weighed in the scales against wealth or freedom. Hence, if one person has a greater superiority in stature than another in virtue, and the distinction of stature generally is greater than that of virtue, all things in the world will be comparable with each other. For if a certain amount of stature is more valuable than a certain amount of something else, it is obvious that there is a certain amount of stature which is equal to a certain amount of that something. But as this *universal commensurability* is out of the question, it is evidently reasonable in the realm of politics not to regard any and every inequality as constituting a title to the offices of State. For the fact that some persons are slow and others swift is no reason why they should enjoy a less or greater measure *of official power*; it is rather in the gymnastic games that superiority of this kind receives its appropriate honour. The claim to office on the other hand must be confined to those elements which enter into the constitution of a State. Accordingly it is reasonable enough that noble or free-born or wealthy persons should lay claim to political honour. For a State necessarily contains free persons and tax-payers *or a propertied class*, as it can no more consist exclusively of paupers than of slaves. But if these elements are indispensable, the same is obviously true of justice and military virtue, both of which are essential to the good administration of a State, although not, as were the elements before mentioned, to its very existence.

CHAPTER XIII

If we look then to the mere existence of a State, it would seem that all or at least some of the elements named are rightful claimants *to political supremacy*, whereas if we look to a good life, it would seem that culture and virtue have the justest claims, as has been already remarked. But as it is not right that persons who are equal in one point only should have an equal share or persons who are unequal in one point only an unequal share of everything, it is a necessary consequence that all such polities as are characterized by this sort of equality or inequality are perversions.

It has been already observed that the different claimants *to political power* have all in a certain sense, although not all absolutely, justice on their side. Thus the claim of the wealthy is that they have a larger interest in the soil, and the soil is national property, and also that they are generally more to be trusted in commercial transactions. The claims of free persons and of nobles

on the other hand are closely related to each other. For, *if the title of the free consists in their citizenship*, the nobler classes are citizens in a higher sense than commoners, and nobility is always honoured in any country. Another argument *in favour of the nobles* is the probability that the children of better parents will themselves be better; for nobility is hereditary virtue. The same principles will lead us to regard the claim of virtue *to political supremacy* as also just on the ground that justice, as we assert,⁸ is a virtue essential to an association *like the State*, and all the other virtues are necessary concomitants of justice. Again, if we compare the numerical majority with the minority, the former *may put in a claim*; for they are stronger and richer and better, when the majority as a whole are set against the minority.

The question arises then: If in a single State there exist all these classes, i.e. the Good, the Wealthy and the Noble, and besides them a mass of mere citizens, will there or will there not be a controversy as to the persons who ought to be rulers? It is true that in the several polities we have mentioned the decision of the rulers does not give rise to controversy. For it is in respect of the bodies in which the supreme power resides that they differ from each other, one being in the hands of the wealthy, another of the men of virtuous character, and so on throughout the list. Still the point we are considering is this, When all these elements exist simultaneously *in a State*, how is the polity to be defined? Suppose that the persons possessed of virtue are extremely few in number, upon what principle is the line to be drawn? It would seem right to consider the question of fewness relatively to the task to be performed, *i.e. to consider* whether they are capable of administering a State or are sufficiently numerous to constitute a State of themselves. There is a certain difficulty however which may be raised in regard to all the claimants to the honours of State. The plea of those who claim rule in virtue of their wealth and similarly that of those who claim it on the score of birth would appear to be quite devoid of justice; for it is evident that, if we go further and suppose an individual wealthier than all the rest of the citizens together, the same principle of justice will entitle this individual to be ruler of all the rest, and similarly will entitle an individual of preeminent nobility to be ruler of all whose claim depends upon personal freedom. The same will be the case in aristocracies with virtue. If there is an individual morally superior to all the members of the governing class who are assumed to be virtuous, the same principle of justice, *which entitles them to govern*, entitles this individual to be supreme. Or again, if the masses are entitled to be supreme as being stronger than the Few, then in any case where an individual or several persons, although not so many as the mass of the population, are stronger than the rest, it is they rather than the masses

⁸ [Ethics, Book V.]

who would be entitled to supremacy. All these considerations seem to prove that none of the principles, upon which *certain classes of people* claim to be rulers themselves and to have all others in subjection under them, is right. For even against those who claim supremacy in the governing class on the score of virtue, and similarly against those who claim it on the score of wealth, the masses would be able to advance a just plea, as there is no reason why on certain occasions the masses, not indeed individually but collectively, should not be better and wealthier than the Few.

Accordingly it is possible in this way to meet the difficult question or problem sometimes suggested. Some people find it difficult to determine whether the legislator, if he desires to enact the most absolutely right laws, should have regard in his legislation to the interest of the better classes or of the majority in cases where the conditions are such as we have described, *i.e. where the majority are collectively richer or more virtuous than the Few*. But rightness *in regard to laws* must be conceived as implying equality and, so conceived, it has reference to the interest of the State as a whole, or in other words to the common interest of the citizens. But while a citizen in general is one who is capable of being a ruler and a subject, yet in each several polity he is different; and relatively to the best polity he is one who has the ability and purpose so to live both as subject and ruler as will conduce to the life which is according to virtue. If however there is an individual or more persons than one, although not enough to constitute the full complement of a State, so preeminent in their excess of virtue that neither the virtue of all the other citizens nor their political capacity is comparable to theirs, if they are several, or, if it is an individual, to his alone, such persons are not to be regarded any more as part of a State. It will be a wrong to them to treat them as worthy of mere equality when they are so vastly superior in virtue and political capacity, for any person so exceptional may well be compared to a deity upon the earth. And from this it clearly follows that legislation can be applicable to none but those who are equals in race and capacity; while for persons so exceptional there is no law, as they are a law in themselves. For any attempt to legislate for them would be ridiculous; they would probably make the same reply as did the lions in Antisthenes's story to the declamation of the hares when they demanded universal equality. . . .

[Book IV]

CHAPTER I

In all the roll of arts and sciences, which are not restricted to a single branch of a subject but are complete treatments of some one subject as a whole, it is

the province of one and the same art or science to consider all the questions appropriate to a given subject, e.g. *if we take the case of Gymnastic, to consider firstly* the sort of discipline which is beneficial to particular physical constitutions; *secondly* the nature of the best discipline, as it is certain that the best discipline is such as is appropriate to the person who enjoys the finest constitution and is endowed with the richest natural advantages; and *thirdly* the discipline which is uniformly beneficial to the great majority of people taken collectively; for this is equally a function of Gymnastic. And further if a person is content with aspiring to something short of his proper physical condition or scientific expertness in athletic exercises, it is none the less the business of the trainer or gymnastic master to produce even this inferior measure of capacity. Similarly we find this to be the case in Medicine or Shipbuilding or Tailoring or any other art. It is evidently therefore the business of the self-same science to consider the nature of the best polity or in other words the character of polity which would best satisfy our ideal, if there were no impediment in external circumstances, and *secondly* the nature of the polity appropriate to particular classes of persons. For as the best polity is probably out of the reach of large numbers of people, it is right that the good legislator and the true statesman should keep his eyes open not only to the absolutely best polity but also to the polity which is best under the actual conditions. We may add *thirdly* an assumed polity; for it is right that in the case of any given polity he should be competent to consider the means of calling it into existence and, when it has come into existence, the method of endowing it with the longest life. I am referring to the case where the conditions of a particular State are such that the polity under which it exists is not the best *nor indeed can ever be the best, as* it is unprovided with the very essentials *of the best polity*, nor again is the best which is possible in the circumstances, but some polity of an inferior kind. And besides all this it is right that he should understand the polity which is most appropriate to the mass of states, *especially* as the great majority of political writers, even if successful in their treatment of the other points, utterly miss the mark of practical utility. For it is not only the *absolutely* best polity which is the proper subject of consideration, but also that which is possible *in any given case* and similarly that which is comparatively easy of attainment and has a closer affinity to the polities of all existing States. But our modern writers either aspire to the highest polity, for which a number of external advantages are indispensable, or, if they describe a form more generally attainable, put out of sight all existing forms *except the favoured one* and pronounce a panegyric upon the Lacedaemonian or some other polity. What we want however is to introduce some system which the world will easily be induced and enabled to accept as an innovation upon the existing forms; for it is quite as trouble-

some a task to amend a polity as to establish it in the first instance, just as the task of correcting one's knowledge is quite as troublesome as that of acquiring it at first. . . .

CHAPTER II

As at the beginning of our treatise we divided polities into the normal polities, which are three in number, viz. Kingship, Aristocracy and Polity, and the perversions of these which are also three, viz. Tyranny the perversion of Kingship, Oligarchy of Aristocracy and Democracy of Polity; as Aristocracy and Kingship have been already discussed—for the consideration of the best polity is nothing else than a discussion of the polities which bear these names, as in theory each of them is constituted on the basis of virtue furnished with external means—and as further the points of difference between Aristocracy and Kingship and the occasions when a polity is to be regarded as regal have been determined, it remains to describe the form which is called by the general name of all polities, viz. *the Polity*, and the remaining forms, Oligarchy, Democracy and Tyranny.

It is evident, if we consider these perversions, which is the worst and which is the next worst. For the perversion of the primary or most divine form must be the worst; and as Kingship must either be a mere name and not a reality or must have its justification in the vast superiority of the reigning king, it follows that Tyranny is the form which is worst and farthest removed from a constitutional government, Oligarchy the next worst—for Aristocracy, *it must be remembered*, is widely different from Oligarchy—and Democracy the least bad. An earlier writer⁹ has already expressed himself in this sense, although not from the same point of view as ours. For *he recognized a good and a bad form of each of these polities and held that of all the polities when they are good, i.e. of good Oligarchy and the like, Democracy is the worst, but that when they are bad it is the best. We maintain on the contrary that these polities are wholly vitiated, and it is not right to speak of one Oligarchy as being better than another but only as being less bad.* . . .

CHAPTER XI

But what is the best polity and the best life for the great majority of States and persons, as tested by the standard not of a virtue which is beyond the attainment of ordinary human beings, nor of such an education as requires natural advantages and the external resources which Fortune alone can give, nor again of the ideally constructed polity, but of such a life as the majority of people are capable of realizing in a political association and such a polity

⁹ [Plato, *The Statesman*.]

as the majority of States are capable of enjoying? For as the so-called Aristocracies of which we recently spoke lie in some respects beyond the reach of ordinary States and in others approximate to the Polity in the limited sense of the term, we may speak of the two forms, *viz. Aristocracy and Polity*, as one and the same.

In the determination of all these questions we may start from the same principles. If it has been correctly stated in the *Ethics* that the happy life is a life which is unimpeded in the exercise of virtue, and that virtue is a mean between two extremes, it follows that the mean life, *viz. the attainment of the mean condition possible to the citizens of any State*, is the best. And further the same canons of virtue and vice necessarily hold good for a State and for its polity, as the polity is, so to say, the life of a State.

In every State without exception there are three parts, *viz. the very rich, the very poor and thirdly the intermediate class*. As it is admitted then that the moderate or intermediate condition is best, it is evident that the possession of Fortune's gifts in an intermediate degree is the best thing possible. For this is the condition in which obedience to reason is easiest; whereas one who is excessively beautiful, strong, noble or wealthy, or on the contrary excessively poor or weak or deeply degraded cannot easily live a life conformable to reason. Such persons are apt in the first case to be guilty of insolence and criminality on a large scale, and in the second to become rogues and petty criminals. But all crimes are the results either of insolence or of roguery, both which are conditions prejudicial to the interests of States. And further persons, who are in the enjoyment of an extraordinary amount of Fortune's gifts, strength, wealth, friends and so on, have neither the disposition nor the knowledge necessary for submission to authority—a fault which they derive from their home-training in early years, as they are educated amidst such indulgence that they do not get the habit of submitting even to their masters—while persons who suffer from too great deficiency of these blessings are reduced to a state of mental degradation. Thus while the latter do not understand how to rule, but only how to be ruled like slaves, the former do not understand how to submit to any rule, but only to exercise the rule of slave-masters. The result is a State composed exclusively of slaves and slave-masters instead of free men, with sentiments of envy on the one side and of contempt on the other. But such sentiments are the very negation of friendship and political association; for all association implies friendship, as is proved by the fact that people do not choose even to walk on the same road with their enemies. But in theory at least the State is composed as far as possible of persons who are equal and similar, and this is especially the condition of the middle class. And from this it follows that, if we take the parts of which the State in our conception is

composed, it is a State of this kind, *viz. composed largely of the middle class*, which enjoys the best political constitution. Further it is this middle class of citizens which runs the least risk of destruction in a State. For as they do not like paupers lust after the goods of others, nor do others lust after theirs, as paupers after the property of the rich, they pass an existence void of peril, being neither the objects nor the authors of conspiracies. Hence it was a wise prayer of Phocylides

The middle class within the State
Fares best, I ween;
May I be neither low nor great
But e'en between.

It is clear then that the best political association is the one which is controlled by the middle class, and that the only States capable of a good administration are those in which the middle class is numerically large and stronger, if not than both the other classes, yet at least than either of them, as in that case the addition of its weight turns the scale and prevents the predominance of one extreme or the other. Accordingly it is an immense blessing to a State that the active citizens should possess an intermediate and sufficient amount of property; for where there is a class of extremely wealthy people on the one hand and a class of absolute paupers on the other, the result is either an extreme Democracy or an untempered Oligarchy, or, as the outcome of the predominance of either extreme, a Tyranny. For Tyranny results from the most violent form of Democracy or from Oligarchy, but is far less likely to result from a polity in which the middle class is strong and the citizens all stand much on the same level. The reason of this we will state hereafter when we treat of the revolutions of polities. It is evident however that the intermediate form of polity is best, as it is the only one which is free from political disturbances. For it is where the middle class is large that there is the least danger of disturbances and dissensions among the citizens. And this too, *viz. the largeness of the middle class*, is the reason why great States are comparatively little liable to political disturbances; whereas in small States it is easy to divide the whole population into two camps, leaving no intermediate class, and all the citizens in them are practically either poor or rich. It is the middle class too which imparts to Democracies a more secure and permanent character than to Oligarchies, as the middle class are more numerous and enjoy a larger share of the honours of State in Democracies than in Oligarchies; for if there is no middle class, and the poor in virtue of their numbers are preponderant, the consequence is failure and speedy destruction of the State.

We may fairly regard it as an indication of *the same fact, viz. of the superiority of the middle class*, that the best legislators belong to the middle class

of citizens, e.g. Solon, as is evident from his poems, Lycurgus—for he was not king—Charondas and most others.

We see too from these facts why it is that the great majority of polities are either democratical or oligarchical. The reason is that, as the middle class is generally small in them, whichever of the two other classes enjoys the superiority in any case, whether it be the propertied class or the commons, it is a party which transgresses the rule of the mean that imparts its own bias to the polity, and thereby produces either Democracy or Oligarchy. And there is the further fact that in consequence of the political disturbances and contentions between the commons on the one hand and the rich on the other whichever party happens to get the better of its opponents, instead of establishing a polity of a broad and equal kind, assumes political supremacy as a prize of the victory and sets up either a Democracy or an Oligarchy. We may add that the two States, which have attained an imperial position in Greece, having regard solely to their own respective polities always established either Democracies or Oligarchies in the different States, not out of any consideration for the interests of the States in question, but simply for their own interest. And the result of all these circumstances is that the intermediate polity is either never realized at all or only seldom and in a few States; for among all who have hitherto attained a commanding position there has been only a single individual who was prevailed upon to restore this political system, *viz. a Polity*. And indeed it has become a settled habit among the citizens of Greek States not even to desire the principle of equality but to seek a position either of rule or of patient submission to a dominant power.

The nature of the best polity and the reason why it is the best are now clear. But taking the general list of polities and remembering that according to our former statement there are several varieties of Democracy and Oligarchy, we shall not after our determination of the best polity find a difficulty in discerning what kind of polity is to be placed first, second and so on in due order according to their comparative excellence and inferiority. For the nearer a polity is to the best polity, the better of course it will be, and the further it is removed from the mean, the worse it will be, unless indeed it is tried with reference to an arbitrary standard. And when I speak of an arbitrary standard, I mean that there are many cases in which one of two polities is preferable *in itself*, but the other may well be more advantageous to a certain State.

CHAPTER XII

The nature and character of the polities suited to particular natures and characters is the next question which we have to consider.

It is necessary to begin by assuming a principle of general application, *viz.*

that the part of the State which desires the continuance of the polity ought to be stronger than that which does not. But in every State there is a qualitative and a quantitative element. By the former I mean freedom, wealth, culture and nobility; by the latter mere numerical superiority. But it is possible that of the parts of which the State is composed the quality may belong to one and the quantity to another, e.g. that the ignoble classes may be numerically larger than the noble or the poor than the rich, but that their superiority in quantity may not be commensurate with their inferiority in quality. It is necessary therefore to institute a comparison between the two elements.

Where the numerical superiority of the poor bears the proportion we have indicated *to the qualitative superiority of the rich, i.e. is vastly superior to it*, it is natural that the polity established should be a Democracy, and that the species of Democracy should be determined by the character of the commons to whom the superiority belongs, i.e. that, if it is the agricultural population which is predominant, it should be the primary form of Democracy, if the mechanical and wage-earning population, the latest development of Democracy, and so for all the intermediate forms. Where on the other hand the superiority of the rich or upper classes in quality is greater than its inferiority in quantity, it is natural that the polity should be an Oligarchy, and as in the last case that the species of Oligarchy should be determined by the character of the oligarchical population in whom the superiority resides.

But the legislator in his political system ought always to secure the support of the middle class. For if the laws which he enacts are oligarchical, he should aim at *the satisfaction of the middle class*; if democratical, he should engage their support in behalf of the laws. But it is only where the numbers of the middle class preponderate either over both the extremes or over only one of them that there is a possibility of a permanent polity. For there is no danger of a conspiracy among the rich and the poor against the middle class, as neither rich nor poor will consent to a condition of slavery, and if they try to find a polity which is more in the nature of a compromise, they will not discover any other than this, *viz. the polity which rests upon the middle class*. For the mutual distrustfulness of the Oligarchs and Democrats will prevent them from consenting to an alternation of rule. All the world over on the other hand there is nobody so thoroughly trusted as an arbitrator, and the middle class occupies a position of arbitration *between the rich and the poor*.

But the permanence of the polity will depend upon the excellence of the fusion. It is a common and serious mistake made even by those who desire to set up aristocratical polities not only to give an undue share of power to the rich but to endeavour to deceive the commons. For the spurious advantages are sure in time to produce a real evil, as the usurpations of the rich are more fatal to the polity than those of the commons.

CICERO

THE IDEA of natural law has been one of the most powerful of intellectual forces, serving recurrently in social thought and struggles as an instrument for the criticism of custom, convention, and legislation. There is a continuous tradition of appeal to the law of nature from the Greeks throughout the Middle Ages to its modern culmination in the seventeenth and eighteenth centuries. The term "law of nature," or "natural law," was used by the Greek Sophists who criticized the laws and traditions of the city-states, but it became a concept basic to social thought during the later Roman Republic. Underlying the various meanings of the term is the belief in "an ultimate principle of fitness with regard to the nature of man as a rational and social being, which is, or ought to be, the justification of every form of positive law. Such a principle, under the name of reason, reasonableness, or sometimes natural justice is fully recognized in our own system."¹

The ideals of Greek political life were alive in the work of Cicero, having been adapted to Roman society during the Hellenistic period. Aristotle's theory of potentiality, of the natural tendency of growth or fulfillment, was transformed by the Stoics into a theory of human nature and the inner power of any man to govern himself. Similarly, the Greek idea of equality as belonging to a selected group of citizens was enlarged to apply indiscriminately to all men and to stand not so much for equal participation in public affairs as for equal subjection to and treatment by the laws. With the expansion of the Roman Empire the idea of law lost its intimate connection with a local constitution or lawgiver and became something at once more universal and more unchangeable. It became a moral law, or norm for the laws of all nations, especially when the Romans attempted to codify a *jus gentium* for all their subject peoples.

The most important formulation of natural law during this period came from the Stoics, notably Panaetius (c. 100 B.C.), who gave to Stoic theory the shape in which it came to Cicero. Panaetius's Stoicism emphasized the universality of natural law in the light of which all men are equal, both in their obligation to act justly and in their right to be treated justly. Belief in natural law operated as the point of departure for belief in a universal community of all men. The idea of natural law was embodied in Roman law and taken over by the Church Fathers; through these two sources it entered the main stream of Western civilization.

Its classic formulation is found in Cicero's writings, which for centuries were the most widely used textbooks in all Europe. A self-made man, Marcus Tullius Cicero (106-43 B.C.) was nevertheless a partisan of the aristocratic party and looked back nostalgically toward the old days when aristocracy had held the decisive power in government. This allegiance of Cicero's made his career in politics a stormy and difficult one in a time marked by the rising power of the popular party. Consul in 63 B.C., he suppressed the Catiline conspiracy and had its leaders summarily put to death. He was accused of acting in defiance of the constitution, and in 58 B.C.

¹ Frederick Pollock, "The History of the Law of Nature," in *Essays in the Law* (London, Macmillan, 1922), p. 31.

the Roman tribunes went so far as to have him exiled. He returned to Rome after a year, but the success of the First Triumvirate stood in the way of his political ambitions, and he devoted himself to literature and philosophy. Following the assassination of Caesar, in 44 B.C., Cicero became the leader of the opposition to Marc Antony. The establishment of the Second Triumvirate resulted in his proscription, and finally in his assassination at the hands of Antony's soldiers.

Hardly an original thinker, Cicero was nevertheless the only Roman who wrote at any length on political philosophy. His ideas were intended to promote the immediate conservative and aristocratic program by arguing in favor of restoring the republican constitution to the form it had before the popular reforms instituted by Tiberius Gracchus. Such a program could only be ephemeral, however, and the long-range importance of his work lies in its influence upon Roman law and political theory. His concern with the rule of law and his emphasis upon "the people" as the ultimate source of authority was often revived and became a chief source of the social contract theory. Roman lawyers continually appealed to it in the form in which it appears in the Digest of Justinian (533). "The will of the Emperor has the force of law, because by the passage of the *lex regia* the people transfers to him and vests in him all its own power and authority."

The Church Fathers used Cicero's statement of natural law as a basis for natural theology and divine law, with its emphasis upon the equality of all men before the law, the moral obligation of the state to do justice, and the absolute authority of legally constituted governments.

The two books in which Cicero developed these principles were *The Republic* (*De republica*) and *The Laws* (*De legibus*). The selections that follow have been taken from the latter book, published after Cicero's death. It appeared in the form of a dialogue and is obviously patterned after the Platonic model. Since the dialogue form, as Cicero handles it, adds little either to the dramatic force or the intellectual cogency of the argument, the dialogue has been eliminated from the passages that follow. The translation from the Latin was made by Francis Barham in 1841.



THE LAWS

THE SUBJECT of our present discussion . . . comprehends the universal principles of equity and law. In such a discussion therefore on the great moral law of nature, the practice of the civil law can occupy but an insignificant and subordinate station. For according to our idea, we shall have to explain the true nature of moral justice, which is congenial and correspondent with the true nature of man. We shall have to examine those principles of legislation by which all political states should be governed. And last of all, shall we have to speak of those laws and customs which are framed for the use and convenience of particular peoples, which regulate the civic and municipal affairs of the citizens, and which are known by the title of civil laws.

It is not so much the science of law that produces litigation, as the ignorance of it (*potius ignoratio juris litigiosa est quam scientia*). But more of this bye-and-bye.

With respect to the true principle of justice, many learned men have maintained that it springs from Law. I hardly know if their opinion be not correct, at least, according to their own definition; for "Law(say they) is the highest reason, implanted in nature, which prescribes those things which ought to be done, and forbids the contrary." This, they think, is apparent from the converse of the proposition; because this same reason, when it is confirmed and established in men's minds, is the law of all their actions.

They therefore conceive that the voice of conscience is a law, that moral prudence is a law, whose operation is to urge us to good actions, and restrain us from evil ones. They think, too, that the Greek name for law (*νομος*), which is derived from *νέμω*, to distribute, implies the very nature of the thing, that is, to give every man his due. For my part, I imagine that the moral essence of law is better expressed by its Latin name, (*lex*), which conveys the idea of selection or discrimination. According to the Greeks, therefore, the name of law implies an equitable distribution of goods: according to the Romans, an equitable discrimination between good and evil.

The true definition of law should, however, include both these characteristics. And this being granted as an almost self-evident proposition, the origin of justice is to be sought in the divine law of eternal and immutable morality. This indeed is the true energy of nature, the very soul and essence of wisdom, the test of virtue and vice. But since every discussion must relate to some subject, whose terms are of frequent occurrence in the popular language of the citizens, we shall be sometimes obliged to use the same terms as the vulgar, and to conform to that common idiom which signifies by the word law, all the arbitrary regulations which are found in our statute books, either commanding or forbidding certain actions.

We should seek for justice in its native source, which being discovered, we shall afterwards be able to speak with more authority and precision respecting our civil laws, that come home to the affairs of our citizens.

I shall endeavour to describe a system of Laws adapted to that Commonwealth, which Scipio declares to be most desirable in those Six Books which I have written under that title. All our laws, therefore, are to be accommodated to that mixed kind of political government there recommended. We shall also treat of the general principles of morals and manners, which appear most appropriate to such a constitution of society, but without descending to particular details.

Grant me that the entire universe is overruled by the power of God, that by his nature, reason, energy, mind, divinity, or some other word of clearer signifi-

cation, all things are governed and directed. . . . Since you grant me the existence of God, and the superintendence of Providence, I maintain that he has been especially beneficent to man. This human animal—prescient, sagacious, complex, acute, full of memory, reason and counsel, which we call man,—is generated by the supreme God in a more transcendent condition than most of his fellow-creatures. For he is the only creature among the earthly races of animated beings endued with superior reason and thought, in which the rest are deficient. And what is there, I do not say in man alone, but in all heaven and earth, more divine than reason, which, when it becomes ripe and perfect, is justly termed wisdom?

There exists, therefore, since nothing is better than reason, and since this is the *common property of God and man*, a certain aboriginal rational intercourse between divine and human natures. This reason, which is common to both, therefore, can be none other than right reason; and since this *right reason* is what we call *Law*, God and men are said by Law to be consociated. Between whom, since there is a communion of law, there must be also a communication of Justice.

Law and Justice being thus the common rule of immortals and mortals, it follows that they are both the fellow-citizens of one city and commonwealth. And if they are obedient to the same rule, the same authority and denomination, they may with still closer propriety be termed fellow-citizens, since one celestial regency, one divine mind, one omnipotent Deity then regulates all their thoughts and actions.

This universe, therefore, forms one immeasurable Commonwealth and city, common alike to gods and mortals. And as in earthly states, certain particular laws, which we shall hereafter describe, govern the particular relationships of kindred tribes; so in the nature of things doth an universal law, far more magnificent and resplendent, regulate the affairs of that universal city where gods and men compose one vast association.

When we thus reason on universal nature, we are accustomed to reason after this method. We believe that in the long course of ages and the uninterrupted succession of celestial revolutions, the seed of the human race was sown on our planet, and being scattered over the earth, was animated by the divine gift of souls. Thus men retained from their terrestrial origin, their perishable and mortal bodies, while their immortal spirits were ingenerated by Deity. From which consideration we are bold to say that we possess a certain consanguinity and kindred fellowship with the celestials. And so far as we know, among all the varieties of animals, man alone retains the idea of the Divinity. And among men there is no nation so savage and ferocious as to deny the necessity of worshipping God, however ignorant it may be respecting the

nature of his attributes. From whence we conclude that every man must recognize a Deity, who considers the origin of his nature and the progress of his life.

Now the law of virtue is the same in God and man, and cannot possibly be diverse. This virtue is nothing else than a nature perfect in itself, and developed in all its excellence. There exists therefore a similitude between God and man; nor can any knowledge be more appropriate and sterling than what relates to this divine similitude.

Nature, attentive to our wants, offers us her treasures with the most graceful profusion. And it is easy to perceive that the benefits which flow from her are true and veritable gifts, which Providence has provided on purpose for human enjoyment, and not the fortuitous productions of her exuberant fecundity. Her liberality appears, not only in the fruits and vegetables which gush from the bosom of the earth, but likewise in cattle and the beasts of the field. It is clear that some of these are intended for the advantage of mankind, a part for propagation, and a part for food. Innumerable arts have likewise been discovered by the teaching of nature; for her doth reason imitate, and skilfully discover all things necessary to the happiness of life.

With respect to man this same bountiful nature hath not merely allotted him a subtle and active spirit, but moreover favoured him with physical senses, like so many guardians and messengers. Thus has she improved our understanding in relation to many obscure principles, and laid the foundation of practical knowledge; and in all respects moulded our corporeal faculties to the service of our intellectual genius. For while she has debased the forms of other animals, who live to eat rather than eat to live, she has bestowed on man an erect stature, and an open countenance, and thus prompted him to the contemplation of heaven, the ancient home of his kindred immortals. So exquisitely, too, hath she fashioned the features of the human race, as to make them symbolic of the most recondite thoughts and sentiments. As for our too eloquent eyes (*oculi nimis arguti*), do they not speak forth every impulse and passion of our souls? And that which we call *expression*, in which we infinitely excel all the inferior animals, how marvellously it delineates all our speculations and feelings! Of this the Greeks well knew the meaning, though they had no word for it.

I will not enlarge on the wonderful faculties and qualities of the rest of the body, the modulation of the voice, and the power of oratory, which is perhaps the greatest instrument of our influence over human society. These matters do not belong to the occasion of our present discourse, and I think that Scipio has already sufficiently explained them in those books of mine which you have read.

As the Deity, therefore, was pleased to create man as the chief and president of all terrestrial creatures, so it is evident, without further argument, that human nature has made the greatest advances by its intrinsic energy; that nature, which without any other instruction than her own, has developed the first rude principles of the understanding, and strengthened and perfected reason to all the appliances of science and art.

You may well describe these topics as grand, which we are now briefly discussing. For of all the questions on which our philosophers argue, there is none which it is more important thoroughly to understand than this, *that man is born for justice, and that law and equity are not a mere establishment of opinion, but an institution of nature*. This truth will become still more apparent if we investigate the nature of human association and society.

There is no one thing more like to another, more homogeneous and analogous, than man is to man. And if the corruption of customs, and the variation of opinions, had not induced an imbecility of minds, and turned them aside from the course of nature, no one would more nearly resemble himself than all men would resemble all men. Therefore whatever definition we give of man, it must include the whole human race. And this is a good argument, that no portion of mankind can be heterogeneous or dissimilar from the rest; because, if this were the case, one definition could not include all men.

In fact, reason, which alone gives us so many advantages over beasts, by means of which we conjecture, argue, refute, discourse, and accomplish and conclude our designs, is assuredly common to all men; for the faculty of acquiring knowledge is similar in all human minds, though the knowledge itself may be endlessly diversified. By the same senses we all perceive the same objects, and that which strikes the sensibilities of the few, cannot be indifferent to those of the many. Those first rude elements of intelligence which, as I before observed, are the earliest developments of thought, are similarly exhibited by all men; and that faculty of speech which is the soul's interpreter, agrees in the ideas it conveys, though it may differ in the syllables that express them. And therefore there exists not a man in any nation, who, adopting his true nature for his true guide, may not improve in virtue.

Nor is this resemblance which all men bear to each other remarkable in those things only which accord to right reason. For it is scarcely less conspicuous in those corrupt practices by which right reason is most cruelly violated. For all men alike are captivated by voluptuousness, which is in reality no better than disgraceful vice, though it may seem to bear some natural relations to goodness; for by its delicious delicacy and luxury it insinuates error into the mind, and leads us to cultivate it as something salutary, forgetful of its poisonous qualities.

An error, scarcely less universal, induces us to shun death, as if it were annihilation; and to cling to life, because it keeps us in our present stage of existence, which is perhaps rather a misfortune than a desideratum. Thus, likewise, we erroneously consider pain as one of the greatest evils, not only on account of its present asperity, but also because it seems the precursor of mortality. Another common delusion obtains, which induces all mankind to associate renown with honesty, as if we are necessarily happy when we are renowned, and miserable when we happen to be inglorious.

In short, our minds are all similarly susceptible of inquietudes, joys, desires and fears; and if opinions are not the same in all men, it does not follow, for example, that the people of Egypt who deify dogs and cats, do not labour under superstition in the same way as other nations, though they may differ from them in the forms of its manifestation.

But in nothing is the uniformity of human nature more conspicuous than in its respect for virtue. What nation is there, in which kindness, benignity, gratitude, and mindfulness of benefits are not recommended? What nation in which arrogance, malice, cruelty, and unthankfulness, are not reprobated and detested! This uniformity of opinions, invincibly demonstrates that mankind was intended to compose one fraternal association. And to affect this, the faculty of reason must be improved till it instructs us in all the arts of well-living. . . .

It follows, then, in the line of our argument, *that nature made us just that we might participate our goods with each other, and supply each other's wants.* You observe in this discussion whenever I speak of nature, I mean *nature in its genuine purity*, and not in the corrupt state which is displayed by the depravity of evil custom, which is so great, that the natural and innate flame of virtue is often almost extinguished and stifled by the antagonist vices, which are accumulated around it.

But if our true nature would assert her rights, and teach men the noble lesson of the poet, who says, "I am a man, therefore no human interest can be indifferent to me,"—then would justice be administered equally by all and to all. For nature hath not merely given us reason, but right reason, and consequently that law, which is nothing else than right reason enjoining what is good, and forbidding what is evil.

Now if nature hath given us law, she hath also given us justice,—for as she has bestowed reason on all, she has equally bestowed the sense of justice on all. And therefore did Socrates deservedly execrate the man who first drew a distinction between the law of nature and the law of morals, for he justly conceived that this error is the source of most human vices.

It is to this essential union between the naturally honourable, and the politi-

cally expedient, that this sentence of Pythagoras refers:—"Love is universal: let its benefits be universal likewise." From whence it appears that when a wise man is attached to a good man by that friendship whose rights are so extensive, that phenomenon takes place which is altogether incredible to worldlings, and yet it is a necessary consequence, that he loves himself not more dearly than he loves his friend. For how can a difference of interests arise where all interests are similar? If there could be such a difference of interests, however minute, it would be no longer a true friendship, which vanishes immediately when, for the sake of our own benefit, we would sacrifice that of our friend. . . .

[I will add a few considerations] in conformity with the method of the philosophers. I do not mean the older sages of philosophy, but those modern philosophers who keep a magazine of arguments in reserve, on every imaginable topic, and who, instead of discussing questions freely and unconstrainedly, will permit us to speak only in accordance with their logical arrangements and dialectical distinctions. These gentlemen will never allow that we have done justice to our subject, unless we demonstrate that nature is just, and justice is natural, in a distinct and scientific disputation. . . .

Was it the fear of punishment, and not the nature of the thing itself that ought to restrain mankind from wickedness, what, I would ask, could give villains the least uneasiness, abstracting from all fears of this kind? And yet none of them was ever so audaciously impudent, but he endeavoured to justify what he had done by some law of nature, denied the fact, or else pretended a just sorrow for it. Now if the wicked have the confidence to appeal to these laws, with what profound respect ought good men to treat them?

There is the greater need, therefore, of insisting on the natural and unavoidable penalties of conscience. For if either direct punishment, or the fear of it, was what deterred from a vicious course of life, and not the turpitude of the thing itself, then none could be guilty of injustice, in a moral sense, and the greatest offenders ought rather to be called imprudent than wicked.

On the other hand, if we are determined to the practice of goodness, not by its own intrinsic excellence, but for the sake of some private advantage, we are cunning, rather than good men. What will not that man do in the dark who fears nothing but a witness and a judge? Should he meet a solitary individual in a desert place, with a large sum of money about him, and altogether unable to defend himself from being robbed, how would he behave? In such a case the man whom we have represented to be honest from principle, and the nature of the thing itself, would converse with the stranger, assist him, and show him the way. But as to the man who does nothing for the sake of another, and measures everything by the advantage it brings to himself, it is obvious, I suppose, how such a one would act; and should he deny that

he would kill the man or rob him of his treasure, his reason for this cannot be that he apprehends there is any moral turpitude in such actions, but only because he is afraid of a discovery, and the bad consequences that would thence ensue. A sentiment this, at which not only learned men, but even clowns must blush.

It is therefore an absurd extravagance in some philosophers to assert that all things are necessarily just, which are established by the civil laws and the institutions of the people. Are then the laws of tyrants just, simply because they are laws? If the thirty tyrants of Athens imposed certain laws on the Athenians, and if these Athenians were delighted with these tyrannical laws, are we therefore bound to consider these laws as just? For my own part, I do not think such laws deserve any greater estimation than that passed during our own interregnum, which ordained, that the dictator should be empowered to put to death with impunity, whatever citizens he pleased, without hearing them in their own defence.

There can be but one essential justice, which cements society, and one law which establishes this justice. This law is right reason, which is the true rule of all commandments and prohibitions. Whoever neglects this law, whether written or unwritten, is necessarily unjust and wicked.

But if justice consists in submission to written laws and national customs, and if, as the Epicureans persist in affirming, everything must be measured by utility alone, he who wishes to find an occasion of breaking such laws and customs, will be sure to discover it. So that real justice remains powerless if not supported by nature, and this pretended justice is overturned by that very utility which they call its foundation.

But this is not all. If nature does not ratify law, all the virtues lose their sway. What becomes of generosity, patriotism, or friendship? Where should we find the desire of benefitting our neighbours, or the gratitude that acknowledges kindness? For all these virtues proceed from our natural inclination to love and cherish our associates. This is the true basis of justice, and without this, not only the mutual charities of men, but the religious services of the gods, would become obsolete; for these are preserved, as I imagine, rather by the natural sympathy which subsists between divine and human beings, than by mere fear and timidity.

If the will of the people, the decrees of the senate, the adjudications of magistrates, were sufficient to establish justice, the only question would be how to gain suffrages, and to win over the votes of the majority, in order that corruption and spoliation, and the falsification of wills, should become lawful. But if the opinions and suffrages of foolish men had sufficient weight to outbalance the nature of things, might they not determine among them, that what

is essentially bad and pernicious should henceforth pass for good and beneficial? Or why should not a law able to enforce injustice, take the place of equity? Would not this same law be able to change evil into good, and good into evil?

As far as we are concerned, we have no other rule capable of distinguishing between a good or a bad law, than our natural conscience and reason. These, however, enable us to separate justice from injustice, and to discriminate between the honest and the scandalous. For common sense has impressed in our minds the first principles of things, and has given us a general acquaintance with them, by which we connect with Virtue every honourable and excellent quality, and with Vice all that is abominable and disgraceful.

Now we must entirely take leave of our senses, ere we can suppose that law and justice have no foundation in nature, and rely merely on the transient opinions of men. We should not venture to praise the virtue of a tree or a horse, in which expression there is an abuse of terms, were we not convinced that this virtue was in their nature, rather than in our opinion. For a stronger reason, it is mainly with respect to the moral nature of things, that we ought to speak of honour and shame among men.

If opinion could determine respecting the character of universal virtue, it might also decide respecting particular or partial virtues. But who will dare to determine that a man is prudent and cautious in his moral disposition, from any external appearances? For virtue evidently lies in perfect rationality, and this resides in the inmost depths of our nature. The same remark applies to all honour and honesty, for we judge of true and false, creditable and discreditable, rather by their essential qualities, than their external relations. Thus we judge according to their intrinsic nature, that rationality of life, which is virtue, must be ever constant and perpetual, and that inconstancy must necessarily be vicious.

We form an estimate of the opinions of youths, but not by their opinions. Those virtues and vices which reside in their moral natures, must not be measured by opinions. And so of all moral qualities, we must discriminate between honourable and dishonourable by reference to the essential nature of the things themselves.

The good we commend, must needs contain in itself something commendable. For as I before stated, goodness is not a mode of opinion; it is what it is, by the force of its very essence. If it were otherwise, opinion alone might constitute virtue and happiness, which is the most absurd of suppositions. And since we judge of good and evil by their nature, and since good and evil are the true constituents of honour and shame, we should judge in the same manner all honourable and all shameful qualities, testing them by the law of nature,

without prejudice or passion. But our steady attention to this moral law of nature is often too much disturbed by the dissension of men and the variation of opinions. We might perhaps obey this law of nature more exactly, if we attended more accurately to the evidence of our senses, which being absolutely natural, are less likely to be deceived by artificial objects. Those objects, indeed, which sometimes present to us one appearance, sometimes another, we term fictions of the senses; but it is far otherwise. For neither parent, nor nurse, nor master, nor poet, nor drama, deceive our senses; nor do popular prejudices seduce them. But our delusions are connected with corruption of our mental opinions. And this corruption is either superinduced by those causes of error I have enumerated, which, taking possession of the young and uneducated, betray them into a thousand perversities, or by that voluptuousness which is the mimic of goodness, implicated and interfused through all our senses—the prolific mother of all human disasters. For she so corrupts us by her bewitching blandishments that we no longer perceive that things may be essentially excellent, though they have none of this deliciousness and pruriency.

From what I have said on this subject, it may then easily be concluded, that Justice and Equity are desirable for their own sake. For all virtuous men love Justice and Equity, for what they are in themselves; and we cannot believe that such virtuous men should delude themselves by loving something which does not deserve their affection. Justice and Right are therefore desirable and amiable in themselves; and if this is true of Right, it must be true of all the moral virtues with which it is connected. What then shall we say of liberality? Is it to be exercised gratuitously, or does it covet some reward and recompense? If a man does good without expecting any recompense for his kindness, then it is gratuitous: if he does expect compensation, it is a mere matter of traffic. Doubtless, he who truly deserves the reputation of a generous and good-natured man, performs his philanthropical duties without consulting his secular interests. In the same way the virtue of justice demands neither emolument nor salary, and therefore we desire it for its own sake, because it is its own reward. And for this reason we should entertain the same estimate of all moral virtues.

Besides this, if we weigh virtue by the mere utility and profit that attend it, and not by its own merit, the virtue which results will be in fact a species of vice (*malitia rectissime decitur*). For the more a man's views are self-interested, the further he recedes from probity. It therefore necessarily happens, that those who measure virtue by profit, acknowledge no other virtue than this usurious vice. For who could be called benevolent, if none endeavoured to do good for the love of others? Where could we find the grateful person, if those who are disposed to gratitude could meet no benefactor dis-

interested enough to deserve it? What would become of sacred friendship, if we were not to love our friends for their own sake with all our heart and soul? In pursuance of this pseudo-benevolence, we must desert our friend, as soon as we can derive no further assistance from him. What can be more inhuman! But if friendship ought rather to be cultivated on its own account, for the same reason are society, equality, and justice, desirable for themselves. If this were not so, there could be no justice at all, since nothing is more opposite to the very essence of virtue than selfish interest.

What then shall we say of temperance, sobriety, continence, modesty, bashfulness, and chastity? Is it the fear of laws, or the dread of judgments and penalties, which restrain intemperance and dissoluteness? Do we then live in innocence and moderation, only to acquire a certain secular reputation? And when we blush at licentious discourse, is it only through a squeamish prudery, lest our reputation should be stained? How I am ashamed at those philosophers, who assert that there are no vices to be avoided but those which the laws have branded with infamy. Can it be said that those are truly chaste, who abstain from adultery, merely for the fear of public exposure, and that disgrace which is only one of its many evil consequences? Indeed, what can you praise or blame with reason, if you depart from that great law and rule of nature, which makes the difference between right and wrong? Shall corporal defects, if they are remarkable, shock our sensibilities, and shall those of the soul make no impression on us?—Of the soul, I say, whose turpitude is so evidently proved by its vices. For what is there more hideous than avarice, more ferocious than lust, more contemptible than cowardice, more base than stupidity and folly? Well, therefore, may we style unhappy, those persons in whom any one of these vices is conspicuous, not on account of the disgraces or losses to which they are exposed, but on account of the moral baseness of their sins.

We may apply the same ethical test to those who are distinguished for their virtue. For if virtue be not the highest excellence to which we aspire, it necessarily follows that there is something better than virtue. Is it money, fame, beauty, health? All these appear of little value to us when we possess them, especially when we consider that the duration of their enjoyment is altogether uncertain. Is it that basest of all things, voluptuousness? Certainly not; for nothing gives so much dignity to virtue, as its capacity of overruling and despising all the gratifications of secular and sensual life. . . .

I should say, that Cato, and municipal citizens like him, have two countries, one, that of their birth, and the other, that of their choice. Cato being born at Tusculum, was elected a citizen of Rome, so that a Tusculan by extraction, and a Roman by election, he had, besides his native country, a rightful one. So

among your Athenians, before Theseus urged them to quit their rural territories, and assembled them at Athens, those that were natives of Sunium, were reckoned as Sunians and Athenians at the same time. In the same way, we may justly entitle as our country, both the place from where we originated, and that to which we have been associated. It is necessary, however, that we should attach ourselves by a preference of affection to the latter, which, under the name of the Commonwealth, is the common country of us all. For this country it is, that we ought to sacrifice our lives; it is to her that we ought to devote ourselves without reserve; and it is for her that we ought to risk and hazard all our riches and our hopes. Yet this universal patriotism does not prohibit us from preserving a very tender affection for the native soil that was the cradle of our infancy and our youth.

Therefore I will never disown Arpinum as my country, at the same time acknowledging that Rome will always secure my preference, and that Arpinum can only deserve the second place in my heart. . . .

Let us once more examine, before we descend to particulars, what is the essence and moral obligation of law; lest, when we come to apply it to its subordinate relations, we should not exactly understand each other for want of explanation; and lest we should be ignorant of the force of those terms which are usually employed in jurisprudence.

This . . . hath been the decision of the wisest philosophers; that law was neither excogitated by the genius of men, nor is it anything discovered in the progress of society; but a certain eternal principle, which governs the entire universe; wisely commanding what is right, and prohibiting what is wrong. Therefore, that aboriginal and supreme law is the Spirit of God himself; enjoining virtue, and restraining vice. For this reason it is, that this law, which the gods have bestowed on the human race, is so justly applauded. For it is the reason and mind of Wisdom, urging us to good, and deterring us from evil.

From little children have we learned such phrases as this, "that a man appeals to justice, and goes to law;" and a great many municipal laws have we heard mentioned; but we should not understand that such commandments and prohibitions have sufficient moral power to make us practise virtue and avoid vice.

The moral power of law, is not only far more ancient than these legal institutions of states and peoples, but it is coeval with God himself, who beholds and governs both heaven and earth. For it is impossible that the divine mind should exist without reason; and divine reason must necessarily be possessed of a power to determine what is virtuous and what is vicious. Nor, because it was nowhere written, that one man should maintain the pass of a bridge against the enemy's whole army, and that he should order the bridge behind

him to be cut down, are we therefore to imagine that the valiant Cocles did not perform this great exploit, agreeably to the laws of nature and the dictates of true bravery. Again, though in the reign of Tarquin there was no written law concerning adultery, it does not therefore follow that Sextus Tarquinius did not offend against the eternal law when he committed a rape on Lucretia, daughter of Tuccipitinus. For, even then he had the light of reason deduced from the nature of things, that incites to good actions and dissuades from evil ones. And this has the force of a law, not from the time it was written, but from the first moment it began to exist. Now, this existence of moral obligation is coeternal with that of the divine mind. Therefore the true and supreme law, whose commands and prohibitions are equally infallible, is the right reason of the Sovereign Deity.

Therefore, as the Divine Mind, or reason, is the supreme law, so it exists in the mind of the sage, so far as it can be perfected in man. With respect to civil laws, which differ in all ages and nations, the name of law belongs to them not so much by right as by the favour of the people. For every law which deserves the name of a law ought to be morally good and laudable, as we might demonstrate by the following arguments. It is clear, that laws were originally made for the security of the people, for the preservation of cities, for the peace and benefit of society. Doubtless, the first legislators persuaded the people that they would write and publish such laws only as should conduce to the general morality and happiness, if they would receive and obey them. Such were the regulations, which being settled and sanctioned, they justly entitled *Laws*. From which we may reasonably conclude, that those who made unjustifiable and pernicious enactments for the people, counteracted their own promises and professions; and established anything rather than *laws*, properly so called, since it is evident that the very signification of the word *law*, comprehends the essence and energy of justice and equity.

I would therefore interrogate you on this point like our inquisitive philosophers. If a state wants something, wanting which it is reckoned no state, must not that something be something good? [And furthermore, if] a state has no law, is it not for that reason to be reckoned no state? We must therefore reckon law among the very best things.

If then in the majority of nations, many pernicious and mischievous enactments are made, as far removed from the law of justice we have defined as the mutual engagements of robbers, are we bound to call them laws? For as we cannot call the recipes of ignorant empirics, who give poisons instead of medicines, the prescriptions of a physician, we cannot call that the true law of the people, whatever be its name, if it enjoins what is injurious, let the people receive it as they will. For law is the just distinction between right and wrong,

conformable to nature, the original and principal regulator of all things, by which the laws of men should be measured, whether they punish the guilty or protect the innocent. [Consequently] no law but that of justice should either be proclaimed as a law or enforced as a law. [Therefore] regard as nullable and voidable the laws of Titius and Apuleius, because they are unjust. You may say the same of the laws of Livius, so much the more, since a single vote of the senate would be sufficient to abrogate them in an instant. But that law of justice, which I have explained, can never be rendered obsolete or inefficacious.

[Therefore, we require the] laws of justice the more ardently, because they would be durable and permanent, and would not require those perpetual alterations which all injudicious enactments demand. . . .

Let this, therefore, be a fundamental principle in all societies, that the gods are the supreme lords and governors of all things,—that all events are directed by their influence and wisdom, and that they are loving and benevolent to mankind. They likewise know what every person really is; they observe his actions, whether good or bad; they discern whether our religious professions are sincere and heart-felt, and are sure to make a difference between good men and the wicked.

When once our minds are confirmed in these views, it will not be difficult to inspire them with true and useful sentiments,—such as this, that no man should be so madly presumptuous as to believe that he has either reason or intelligence, if he does not believe that the heaven and the world possess them likewise, or in other words, that there is no Supreme Mind which keeps the universe in motion. The presumption is the more excessive in man, who with his best philosophy, can hardly understand what the universe means.

In truth, we can scarcely reckon him a man, whom neither the regular courses of the stars, nor the alternations of day and night, nor the temperature of the seasons, nor the productions that nature displays for his use, do not urge to gratitude towards heaven.

As the beings furnished with reason are incomparably superior to those who want it, and we cannot say, without impiety, that anything transcends the universal Nature, we must therefore confess that divine reason is contained within her. Who will dispute the utility of these sentiments, when he shall reflect how many cases of the greatest importance are decided by oaths; how much the sacred rites performed in making treaties tend to assure peace and tranquility; also, what numbers the fear of divine punishment has reclaimed from a vicious course of life; and how sacred the social rights must be in a society where a firm persuasion obtains of the immediate intervention of the immortal gods, both as witnesses and judges of our actions? Such is the “pre-
amble of the law,” to use the expression of Plato.

PLOTINUS

PLOTINUS (c. 205–70 A.D.), born in Egypt, spent the latter half of his life as an influential teacher of philosophy in Rome. He is perhaps the chief source, almost more than Plato himself, of what has come to be called Platonism in the Western world. He is at once a dialectician or logical analyst and a mystic; and his *Enneads*, fifty-four essays arranged by his pupil Porphyry into six sets of nine essays each, make the insights and dramatic suggestions of Plato's dialogues the starting-point for a system of principles, called by modern scholars the beginning of Neoplatonism. Plotinus's teacher at the University of Alexandria, Ammonius Saccas, had also been a teacher of Origen, who was to become the founder of Platonic Christian theology.

The third-century setting in which Plotinus developed his thought was one in which it could find ready acceptance. The Roman Empire, officially the governing framework of society, was threatened externally by the barbarians and internally by violence and disorder. The sense of precariousness and insecurity was widespread. Stoicism, by this time an age-old doctrine of equanimity, was gradually losing its grip as a personal creed. The doctrine with widest appeal was of course Christianity in its simplest versions. But the thought of Plotinus almost at once filled the needs of a non-Christian community of philosophically minded and cultivated persons. Like Christianity, it offered release from the chaos of sensory affairs into a transcendent world. But it left no place for a personal God or for salvation in the Christian sense of the term. The release was to come through an intellectual transformation, a rigorous training of the soul by rational means toward the understanding and the vision of truth, beauty, and goodness. Ethically, the thought of Plotinus is more positive in temper than the principal Hellenistic outlooks. For whereas Epicureanism and Stoicism in their respective ways aim at the ideal of tranquillity, it aims rather at fulfillment; and not, as in Christianity, through a sense of human submission, but through confidence in the resources of the rational animal. Thus Plotinus, despite the contemporaneous pertinence of his philosophy, belonged in the Hellenic or classical Greek tradition, as he himself contended.

Plotinus conceived of a great hierarchy of Being, which is also a great continuity or "chain of being." Supreme in this hierarchy is the One (or Unity), and the scale descends to Intelligence (or the world of Forms), to Soul (or Life), to the world of sense, and to matter at the lowest extreme. The One, Intelligence, and Soul constitute a trinity of "hypostases" which transcend the fleeting world of material existence but which at the same time make possible and intelligible the things in that world. The supremacy of the One may be described in different ways: Unity is the most universal of all concepts, for whereas everything exhibits unity, unity is not a species of anything else. It is the being of universal harmony, for in oneness all things are reconciled. It is perfection, from which everything in the universe "emanates" and to which everything in the universe "aspires." Each level of being creates or produces, and is superior to what it produces, in the sense that the artist

is superior to the work of art. And, on the other hand, everything that exists also strives "upward," toward a higher or more perfect existence. Matter, or "non-being," has only "the actuality of a shadow, the actuality of illusion." It is the limit or minimum of productivity in the universe, and hence it signifies privation, inertness, deficiency, imperfection. But from the standpoint of "the way up" in the scheme of things, its existence consists in potentiality, and Plotinus even says that it is potentially all things.

On the modern reader this system makes great imaginative demands, and much of its power is lost if it is not regarded as, at the least, a poetic representation of the supreme human ideals. As a celebration of truth, it is an ordered system of concepts, of key ideas for the aid of human understanding. As a celebration of beauty, it is a vast structural portrait of unity and harmony, classical criteria for a work of art. As a celebration of goodness, it is a hierarchy of values, of the discriminated goals that give to human living its meanings and its sense of perfection. It has been said that with Plotinus later antiquity achieved a philosophical golden age. Unlike his predecessors of the earlier golden age, he has no political theory; and though he devotes careful attention to detailed problems of a physical and psychological nature, his methodological interests are much less explicit than those of Plato and Aristotle. Plotinus had an enormous influence on St. Augustine, and on many trends of thought in medieval and Renaissance philosophy.

The following selections from the *Enneads* are taken from *The Philosophy of Plotinus*, edited and translated from the Greek by Joseph Katz (copyright 1950 by Appleton-Century-Crofts, Inc., New York; reprinted by permission of the publisher).



ENNEADS

How DOES it happen that souls forget the paternal divinity? Having a divine nature, and having originated from the divinity, how can they ever forget the divinity themselves? The origin of the evil that befalls them stems from an act of recklessness on their part, the fact of birth, their becoming different, and a desire to be independent. As soon as they have enjoyed the pleasure of an independent life, they use this power of self-determination to go into a direction that leads them away from their origin, and when they have arrived at a very great distance from it, they even forget that their life is derived from it. They are like children that were separated from their family since birth and educated away from home, and thus lose knowledge of their parents and of themselves. When our souls no longer recognize either their origin or themselves, but despise themselves because they have forgotten their origin, they admire and honor anything rather than themselves and bestow their esteem, love, and interest on anything rather than themselves, breaking away as much as possi-

ble from the things above and forgetting their worth. Their ignorance of their origin is therefore caused by an excessive valuation of sense objects and by their disdain for themselves. To pursue and admire a thing implies the acknowledgment of one's inferiority to the thing pursued. As soon as a soul thinks that she is worth less than the things which are subject to birth and destruction and considers herself most despicable and perishable, she can no longer grasp the nature and power of the divinity. A soul in such conditions can be turned around and led back to the world above and the supreme existence, the One or First, by two kinds of argument. The one consists in showing her the low value of the things she at present esteems. The other consists in instructing and reminding her of her nature and worth. The second argument precedes the first and once it has been made clear will support the first (which we treat elsewhere more fully).

It is the second argument to which we must now turn, particularly as it is a prerequisite for the study of that supreme object we desire to know. As it is the soul that desires to know that object, she must first examine her own nature in order to know herself and to determine whether she possesses the ability of making such an investigation, whether she has an eye capable of such a vision, and whether such a search is her function. For if the things the soul seeks are foreign to her, what good will her search do? But if she is of a kindred nature with them, she both may seek them and is able to find them.

Each soul should first remember that it was she who by an infusion of the spirit of life produced all the animals on earth, in the air, and in the sea as well as the divine stars, the sun, and the immense heaven. It was she that introduced order into the heaven and produces its regular revolutions. She does all that, while yet remaining distinct from the things to whom she communicates form, movement, and life. She is necessarily far superior to them. While they are born or die in the measure that she imparts to them or withdraws from them their life, she herself exists eternally because she remains identical with herself. To understand how life is imparted to the universe and to each individual, the soul must rise to the contemplation of the great soul, the world soul. The individual soul, though different from the world soul, is herself no small being; but she must become worthy of this contemplation and, by attaining a state of tranquility, be free from the errors and seductions to which other souls are subject. Let us assume the same tranquility not only for the body that enfolds her and its agitations, but also for all that surrounds her, earth, air, sea, and even heaven. Then let soul from all sides "flow" into this tranquil mass, stream into and spread in it, and illuminate it. As the rays of the sun light up and gild a dark cloud, so the soul by entering the body of the universe gives it life and immortality and awakens it from inertia. The universe, eternally

moved by an intelligent soul, becomes a living being full of happiness. The presence of the soul gives the universe its value while before it was no more than an inert corpse, water and earth, or rather dark matter and nonbeing, an "object of horror to the gods," as someone has said. The soul's nature and power reveal themselves still more clearly in the way she embraces and governs the world in accordance with her will. She is present in every point of its immense mass, she animates all its parts, great and small. While two bodies cannot be in the same place and are separated from each other both spatially and otherwise, the soul is not similarly extended. She does not need to divide herself in order to give life to each particular individual. Though she animates things, she remains whole and is present in her totality, resembling the Intelligence, from which she was begotten, in her indivisibility and omnipresence. It is through her power that this world of plurality and variety is contained within the bonds of unity. It is through her presence that this world is divine. The sun, too, is divine because it has a soul, and likewise the other stars. We, too, possess some divinity on account of her; for "a corpse is viler than a dung-hill." But the cause to which the deities owe their divinity must necessarily be superior to them. Our soul is of the same kind as the world soul which animates the deities. Strip our soul of all the things that have infested her, consider her in her pristine purity, and you will see that she is of equal rank with the world soul and superior to everything that is body. Without the soul, body is nothing but earth. Or, if one makes fire the basic element, one still needs a principle that animates its flames. Even if one combines earth and fire, or even adds water and air to them, these elements by themselves still do not constitute life or soul. If then it is the soul that attracts our attention in the various beings, why do people seek her in others and not in themselves? If it is the soul that you love in another being, love yourself, then.

Since the soul is such a divine and precious thing, be assured that you will be able to reach the divinity with the help of such a power and begin your ascent. You will not need to search far nor are there many steps that separate you from your goal. Take as guide the most divine part of the soul which borders on that superior world from which she proceeds. Indeed, in spite of the qualities that we have shown her to have, the soul is no more than an image of Intelligence. As the spoken word is the image of the word in the soul, so the soul herself is the image of the word or reason in Intelligence and is that phase of the activity of Intelligence by which is produced the life of a further level of existence. (The activity of Intelligence has this further phase, just as fire contains heat as part of its essence but also gives off heat to the outside.) Nevertheless the soul does not become completely separated from Intelligence. She does partly remain in it, though she also forms a nature distinct from it.

As the soul stems from Intelligence, she is herself an intellectual existence. The manifestation of this intellectual power is discursive reason. From Intelligence the soul derives her perfection. Intelligence nourishes her like a father but, in comparison with itself, has not produced her perfect. The soul thus is the hypostasis that proceeds from Intelligence and her reason finds its actualization when she contemplates Intelligence. When the soul contemplates Intelligence, she possesses the objects of her contemplation within herself and as her own, and she is fully active. These intellectual and inner activities alone are the soul's characteristic activities. Those of an inferior nature are due to a foreign principle and they are passive rather than active experiences for the soul. Intelligence makes the soul more divine, because Intelligence like a father begets the soul and grants its presence to her. Nothing separates them but the difference of their natures. The soul stands to Intelligence in the same relation of succession as matter to form. But this "matter" of Intelligence is beautiful because it has an intellectual form and is not composed of parts. But how great then must Intelligence be, if it is still greater than the soul?

The greatness of Intelligence may be seen also in the following way. We admire the magnitude and beauty of the sense world, the eternal regularity of its movement, the visible and invisible divinities it contains, its demons, animals, and plants. Let us then rise to its model, the superior reality from which this world derives, and there contemplate the whole array of intelligibles which eternally possess their inalienable intelligence and life. Over them preside pure Intelligence and incredible wisdom. That world is the true realm of Cronos, a god whose name means both satiety and Intelligence. This realm embraces all immortal beings, all Intelligence, all divinity, and all soul. Everything there is eternal and immutable. Since it is in a state of bliss, why should it seek change? Since it contains everything, why should it aspire to anything? Since it is perfect, what need of development does it have? The things it contains are perfect, too, so as to have its perfection lack nothing. It contains nothing that is not of the nature of thought, but this thought is not a seeking but a having. The felicity of Intelligence is not contingent on something else. It is eternally all things, that eternity of which time which abandons one moment for the next is only a moving image on the level of soul. Indeed, the soul's action is successive and is divided by the different objects that attract her attention. Now it is Socrates and then a horse; but always some particular thing. But Intelligence embraces all things. It possesses all things in unchanging identity. It is and it always has this character of presentness. It has no future, for it already is all it could ever later become. It has no past, for no intelligible entity ever passes away. All the things it contains exist in an eternal present

because they remain identical with themselves, satisfied, so to say, with their present condition. Each of them is both Intelligence and Being. Together they form the totality of Intelligence and the totality of Being. Intelligence gives existence to Being in thinking it. Being, by being object of thought, gives to Intelligence its thinking and its existence. But there must still exist something else which makes Intelligence think and Being be and which consequently is their common cause. It is true that Intelligence and Being exist simultaneously and together and do not leave each other. But their oneness which is simultaneously Intelligence and Being, thinking and object of thought, consists of two factors, Intelligence inasmuch as it thinks, and Being inasmuch as it is object of thought. The activity of thought implies difference as well as identity. The leading terms therefore are Intelligence, Being, Identity, Difference; and we must add Movement and Rest to them. Movement is implied in the thinking activity of the intelligible realm; Rest, in its sameness. Difference is required for the distinction between the thinking subject and the object thought; for without Difference they are reduced to unity and hence silence. The objects of thought also require Difference, in order to be distinguished from each other. Identity is implied in the self-sufficient unity of Intelligence and in the common nature in which all intelligible beings share, just as Difference is implied in the fact of their being distinguishable. The multiplicity of these terms creates number and quantity. The proper character of each of them constitutes quality. From these terms taken as originating principles everything else proceeds.

The realm of divine Intelligence is thus a multiple one and the soul lives in this realm if only she is intent upon not seceding from it. Now, when the soul has come close to Intelligence and as it were, become one with it, she seeks to know that which has begotten Intelligence, the simple existence which is prior to Intelligence and which is the cause of its existence and manifoldness, and the cause of Number. Number is not something primitive; for unity is prior to the dyad. The latter ranks only second, being begotten and made determinate by unity; by itself it is indefinite. When it becomes determinate, Number arises, a number that is a substance. Thus the soul also is Number. For the things of the first rank are not masses or extended quantities. The gross objects which sensation considers true beings must be ranked as inferior. It is not the moist mass of a seed that gives it its value, but its invisible principle, that is, Number and the seminal reason. The "Number" and "dyad" ascribed to the intelligible world are rational forms and Intelligence. The dyad is indeterminate so far as it plays the part of substrate. The Number that is derived from the dyad and the One is of the nature of form and all things derive their character from the

forms which arise in Number and thus derive it in one respect from the One and in another respect from Number. Intelligence is like the activity of seeing. It is an active vision and the unity of Intelligence comprises two factors.

In what way does Intelligence see and what does it see? In what way does it exist and issue from the First? What gives it the power of vision? We now understand why the intelligible world must necessarily exist. But we seek to solve the problem often raised by the ancient philosophers, how from the One there proceed manifoldness, duality, and Number. Why did the One not remain within itself, why did it emit that manifoldness that we find to characterize Being and which we seek to trace back to the One? In answering this question let us first invoke the divinity, not by the utterance of words, but by raising our souls to it, as in this way we can pray alone to the alone. To see the One which rests in itself as if in an inner sanctuary and remains there undisturbed and removed from all things, we must observe the things which are like the statues in the temple or rather that which is like the statue that appears as the very first and appears to have this message: All that is moved must have a goal towards which it is moved. But as the One has no goal towards which it is directed, we must not assume it to be moved. When things proceed from it, it must not cease being turned towards itself. (We must remove from our minds the idea that this is a process like generation in time; for we are here treating of eternal things. We speak of eternal things metaphorically, in terms of generation, to indicate their causal relations and their systematic order.) What is begotten by the One must be said to be begotten without any motion on the part of the One, for if the One were moved, that which was begotten would because of this movement have to be ranked third, as the movement would be the second term. The One therefore produces the hypostasis which is ranked second without an act of inclination, or volition, or any kind of movement. What conception are we then to form of this sort of generation and its relation to its immovable cause? It must be conceived as a radiation which though it proceeds from it, leaves undisturbed its self-sameness, as the brilliant light which surrounds and emanates perpetually from the sun does not affect its self-same and unchanging existence. In fact, all things, as long as they exist, necessarily produce and emit out of their own substance some further existence, that depends on their power and is the image of the existence out of which it grew. Hence fire radiates heat and snow spreads cold. Perfumes furnish a particularly striking example; for, as long as they last, they emit exhalations in which everything that surrounds them participates. Everything that has arrived at its point of perfection becomes productive. That which is eternally perfect is eternally productive. That which it produces is eternal, too, though inferior to the generating principle. With regard to the ex-

istence then that is supremely perfect, we must say that it only produces the very greatest of the things that are found below it. But that which after it is the most perfect, the second principle, is Intelligence. Intelligence contemplates the One and needs nothing but it. But the One has no need of Intelligence. The One which is superior to Intelligence produces Intelligence which is the best existence after the One since it is superior to all other beings. The soul is the Word and a phase of the activity of Intelligence just as Intelligence is the word and a phase of the activity of the One. But the word of the soul is obscure being only an image of Intelligence. The soul therefore directs herself to Intelligence, just as the latter, to be Intelligence, must contemplate the One. Intelligence contemplates the One without being separated from it, because there is no further existence between the One and Intelligence, just as there is none between Intelligence and the soul. Every begotten being longs for the being that begot it and loves it, especially when the begetter and the begotten are alone. But when the begetter is the highest good, the begotten must be so close to it as to be separated from it only in that it is distinct from it.

We call Intelligence the image of the One. Let us explain this. It is its image because that which is begotten by the One must possess many of its characteristics and resemble it, as light resembles the sun. But the One is not Intelligence. How then can it produce Intelligence? By its turning towards itself the One has vision. It is this vision which constitutes Intelligence. For awareness is either a matter of sensation or of intelligence; but as in the present case it cannot be sensation because sensation cannot grasp the One, this vision is Intelligence. But in contrast to the One, Intelligence is divisible. Intelligence too is one, but it is a oneness which is all things. The activity of Intelligence consists in contemplating the things contained in the power of the One and thereby "unrolls" them; otherwise, it would not be Intelligence. Intelligence has in itself consciousness of the power to produce and to define Being out of itself by means of the power it derives from the One. It sees that Being is a part of that which belongs to the One and proceeds from it, that it owes all its force to the One, and that it achieves Being because of the One. Intelligence sees that, because it becomes multiple when proceeding from the One, it derives from the One, which is indivisible, all the entities it possesses, such as life and thought, while the One is not any of these things. The totality of things must come after the One, because the One itself has no determinate form. It simply is one, while Intelligence is what in the realm of Being constitutes the totality of things. Consequently the One is not any of the things that Intelligence contains. It is only the source from which all of them are derived. That is why they are "beings," for they are already determined and each of them has a kind of shape. A being cannot be something indeterminate, but must

have definition and stability. Such stability for intelligible entities consists in the determination and form by which they have their existence.

The Intelligence of which we speak is worthy to be of the purest origin and to stem from no other source than the first existence. It must from its birth have begotten the whole world of Being, all the beauty of ideas, all the intelligible deities. Being full of the things it has begotten, it "devours" them in the sense that it retains all of them, that it does not allow them to fall into matter or to fall under the rule of Rhea. This is what the mysteries and myths about the gods suggest darkly when they say that Cronos, the wisest of the gods, was born before Zeus and devoured his children. Here Cronos represents Intelligence big with its conceptions and in a state of satisfaction. They add that he out of his fullness begat Zeus. This refers to the fact that Intelligence out of its perfection begets the soul. It must beget because it is perfect and being so great a power, it cannot remain sterile. Here again the begotten being had to be inferior, had to be an image, had likewise, since it was indeterminate by itself, to be determined and formed by the principle that begat it. What Intelligence begets is reason, discursive reason. This reason moves around Intelligence, is the light of Intelligence, the ray that springs from it. On the one hand, it is bound to Intelligence, fills itself with it, enjoys its presence, participates in it, and is itself an intellectual existence. On the other hand, it is in contact with inferior things, or rather it too begets things inferior to it. Being thus begotten by the soul, these things are necessarily less good than the soul, as we shall further explain. The sphere of divine things ends with the soul. . . .

Thus Intelligence actually constitutes the realm of Being. It contains all true beings, not in the way in which extended things contain one another, but in the sense of being identical with them. But though all entities are simultaneously contained within it, they nevertheless remain distinct. Analogously, many sciences simultaneously exist within the soul without becoming indistinct or keeping any particular science when needed, from fulfilling its proper function, and without dragging in all the others, but each thought has its activity independent of the other thoughts. In an even stronger way does Intelligence exhibit the togetherness of the beings it contains and their distinctiveness as each is a special power. Considered in its totality Intelligence contains all entities, as the genus contains all species and as the whole contains all parts. The powers contained in seeds provide an illustration. Each seed, considered in its totality, is a center which contains all the parts of the organism in an undivided form. Nevertheless in this seed the seminal reason of the eye differs from that of the hands, and this diversity is manifested in the organs begotten through the seminal reasons. The powers that are contained in seeds thus constitute each a unified seminal form with the parts implied in it. What

in the seed is corporeal, its humidity, for instance, contains matter; but the seminal reason is entirely form. It is identical with the generative kind of soul, a soul which herself is the image of a superior soul. This generative power contained in the seeds is sometimes called nature. Proceeding from the superior powers as light radiates from the fire, it alters and fashions matter by imparting to matter its seminal reasons, without mechanical pushes and without using those much talked about levers.

The sciences that the rational soul develops of sense objects (if one must call them sciences; for the name "opinions" seems more appropriate) are posterior to the objects they deal with and consequently are no more than images of them. But the sciences dealing with intelligibles, the true sciences, which the rational soul derives from Intelligence, do not contain the conceptions of anything sensuous. As far as they are true knowledge, they are the very things of which they are the conception, and achieve the union of intelligible object and thought. For Intelligence is self-contained and identical with Being. It resides within itself eternally and is pure activity. It does not direct its activity outside of itself as if it did not possess everything within itself and needed to acquire and run discursively through objects which it has not present. These latter operations are characteristic of the soul. But Intelligence remains unmoved within itself and is all things simultaneously. It is not by thinking things that Intelligence brings them into existence. It is not when Intelligence thinks the divinity or movement that divinity or movement comes into being. When it is said that the Forms are thoughts, one is mistaken if thereby one means that the intelligible comes into being or exists only because Intelligence thinks it. On the contrary the intelligible object must exist before Intelligence can think it. Otherwise, how would Intelligence come to think the intelligible? It cannot be due to chance or random encounter.

Intelligence thus thinks the objects contained in it. These objects are the Forms or Ideas. What are these Forms or Ideas? They are Intelligence and the intellectual realm. No Idea is different from Intelligence, but each is Intelligence. The whole Intelligence is the totality of Forms and each particular Form is a particular Intelligence, just as a science, taken in its totality, is all the theorems it embraces, whereby each theorem is a part of the total science being a part, not in the spatial sense of the word, but in the sense that it has its meaning only with regard to the whole science. Intelligence resides within itself in the peace of self-sufficiency and thus is eternal fullness. If we conceived it as prior to Being, we would have to say that it was the action and thought of Intelligence which produced and begat Being. But as we must think of Being before Intelligence, we must put Being within the thinking principle and say that the activity of Intelligence is as closely related to Being as the activity of

fire is to fire itself, so that Intelligence is the proper activity of Being. Now as Being is active too, Being and Intelligence will have the same activity, or rather the activity of both is one and the same. Intelligence and Being thus form but a single nature; hence also all true beings, the activity of Being, and Intelligence. The thoughts of Intelligence are the form and the activity of Being. Our thought, however, separates Being from Intelligence and subordinates one to the other. Our intelligence which makes these separations is indeed different from that indivisible Intelligence which does not separate either Being or anything.

What then are the things contained within the unity of Intelligence which we separate in thinking of them? They must be expressed discursively while they themselves remain at rest, just as we discursively express the theorems of a science that is itself undivided. Since the sense world is an animal which embraces all animals, since it derives both its existence and its manner of existence from a reality different from itself, a reality which in turn is derived from Intelligence, it is Intelligence that must contain all archetypes and be that intelligible world which Plato calls "the truly real animal." Just as the simultaneous presence of the seminal reason of an animal and of matter fit to receive it, must necessarily result in the birth of a new animal, the mere existence of a nature that is rational, all-powerful, and not hindered by any obstacle, must, since nothing can interpose between it and that which is capable of receiving its influence, necessarily result in its giving form to that which is below it. But that which thus is fashioned contains form in only a divided way, so that, for instance, it exhibits here the form of a man, and there the form of the sun, while Intelligence possesses everything in unity.

Therefore, in the sense world, all the things that are forms proceed from Intelligence, but those which are not forms do not proceed from it. In the intelligible world therefore we do not find any of the things that are contrary to nature, any more than we find what is contrary to the arts in the arts themselves or lameness in the seed itself. (Lameness, if congenital, is due to the failure of the seminal reason to dominate matter, while lameness from accident is due to later mutilation of the form.) Qualities and quantities, numbers and magnitudes, processes and configurations, doings and underdoings in accordance with nature, movements and states of rest, either general or particular, if they are of the kind appropriate to it, are among the contents of the intelligible world. Time is replaced by eternity. Space is replaced by the telescoping of intelligible entities within each other. As all entities are undivided in the intelligible world, whatever entity you select will be an intellectual being and participate in life; it will be both identity and difference, movement and rest, that which is moved and that which is at rest, substance and quality, in short,

everything that is of the nature of Being. Further, as each being is fully actualized, instead of merely being potential, its quality is not separated from its substance.

Does the intelligible world contain only what is found in the sense world or does it contain additional objects? Let us consider first whether it contains all of the sort of things that are found in the sense world. Now the intelligible world does not contain evil. For evil, which is found in the sense world, is due to want, privation, and deficiency. It characterizes matter, or anything similar to matter, which fails to achieve completion. . . .

Must we then assert that the intelligible world is the supreme reality? No, because the supreme principle must be truly one and entirely simple, while the intelligible world is constituted by a multitude of beings. We must explain the existence of this multitude, given the existence of perfect Oneness, and the manner of their existence. Why are they intellectual entities, and whence do they proceed? These questions we shall have to study elsewhere.

It may further be asked whether the intelligible world contains Ideas of objects which are derived from decay or are otherwise repugnant, such as Ideas of mud or excreta. We answer that all the things that Intelligence receives from the supreme reality are excellent. Among them are not found the objects just mentioned. Intelligence does not contain them either. But the soul, though she derives certain things from Intelligence, receives other things from matter, among which are found the above mentioned objects. (A more thorough answer to this question will be given when we return to the problem of how the multiple proceeds from the One.) The accidental composites which are formed not by Intelligence but by the conjunctions of sense objects have no Ideas corresponding to them in the intelligible world. Things that proceed from decay are produced only because the soul is unable to produce anything better; for otherwise she would rather have produced some object agreeing with nature as she does when she can. All the arts concerned with things in accordance with nature are contained within Man himself. Above the soul that enters the universe, resides the soul herself, that is, the life that is in Intelligence before becoming soul. . . .

The purpose of action is to contemplate and to have an object of contemplation. The end of activity therefore is contemplation. It seeks to achieve indirectly what it is unable to accomplish directly. When one has achieved the object of one's desires, it is evident that one's real desire is not to possess the desired object without knowing it, but to know it and have it present to the sight of the soul as it is embedded in her as an object of contemplation. Indeed activity always has in view some good. One does not desire to have this good outside of oneself, or not to possess it. Rather one desires to possess it as the

result of one's action. It is in the soul that this good is found, and activity once more brings us back to contemplation. Since the soul is a rational object, what else does she grasp if not an unspoken rational object? The soul grasps this object better the more rational it is. Then the soul remains at rest and seeks nothing further. Her contemplation rests within her and she is sure of the possession of her object. The greater this assurance, the more peaceful is the contemplation and the more does it unify the soul. There is identity between knowing subject and known object—we mean this seriously. If they were two, they would be different, lying, as it were, side by side without being in their duality assimilated by the soul, just as certain rational forms exist in the soul without producing any effect. Theory therefore must not remain outside of the soul of the learner, but must become united with her until it becomes part of her own being. When the soul has appropriated theory and assumed a corresponding disposition, she, as it were, draws the theory out and manipulates it. She thus gets to know the thing that she already possessed. By examining it she becomes, as it were, different from herself, and by thinking it discursively she sees it as something foreign to her. Nevertheless, the soul herself is a rational principle and a kind of intelligence, but an intelligence that sees an object different from herself. For she does not possess fullness and is defective in respect to what precedes her. But it is without moving that she observes what she has brought forth; for she does not bring forth things which she has not first seen. But she brings them forth because she is defective and needs investigation to know what she contains. (In the case of practical activity the soul adapts the notions she possesses to the external objects.) As the soul is richer in content than is nature, she is more at rest and more contemplative. But as her possessions are not complete, she desires to increase the knowledge of her object and the contemplation which stems from inquiry. Even while she is withdrawn from her own higher parts and has entered the variety of things and only returns to herself later, she contemplates with her remaining higher part. But the soul that abides within herself does this less. Consequently the wise man is penetrated by reason and within himself possesses what he manifests to others. He contemplates himself. He achieves unity and immobility not only in respect to external objects but also in respect to the things within himself and finds all things within himself.

Thus everything derives from contemplation and everything is contemplation. This holds for the truly real beings as well as for the existences which they beget by their contemplation and which are objects of contemplation either for sensation, or for knowledge and opinion. Actions, and also desire, aim at knowledge. Begetting originates in contemplation and ends in the production of a form, that is, a new object of contemplation. In general, all things as they

are images of their generating principles produce forms and objects of contemplation. The begotten existences, being imitations of truly real beings, show that the purpose of generation is neither generation nor action, but the production of works which are to be contemplated. Contemplation is aimed at by discursive thought and, below it, by sensation the end of which is knowledge. Further, below discursive thought and sensation is nature which, bearing within herself an object of contemplation and rational form, produces another rational form. Such are the arguments that developed in the course of this inquiry or that we recalled from elsewhere—they ought to be clear now. Besides it is clear that since the supreme realities devote themselves to contemplation, all other beings must aspire to it; for the origin of all things is also their end. Moreover, animals generate due to the activity within them of seminal reasons. Generation is a contemplation. It results from the longing of pregnancy to produce a multiplicity of forms and objects of contemplation, to fill everything with reason, and never to cease from contemplation. Begetting means to produce some form; and this means to spread contemplation everywhere. All the faults met with in begotten things or in actions are due to the fact that one did stray from the object of one's contemplation. The poor workman resembles the producer of bad forms. Also lovers must be counted among those who contemplate and pursue forms. But enough of this. . . .

Such is the nature of Intelligence. That is why it does not occupy the first rank. Above [Intelligence] there must be a principle the discovery of which is the ultimate object of all our previous discussion. The manifold must be posterior to unity. Intelligence is number, but the origin of number and like things is the truly one. Intelligence is at once intelligence and the intelligible, and is therefore two things at once. As it is two things, we must seek what is higher to this duality. Could this principle be Intelligence alone? But Intelligence is always bound to the intelligible. If it is not bound to the intelligible, it cannot be Intelligence. If then this principle is not Intelligence but transcends duality, it must be superior to this duality and thus be above Intelligence. Could it be the intelligible alone? But we have already seen that the intelligible is inseparable from Intelligence. If this principle can be neither Intelligence nor the intelligible, what can it be? It must be the principle from which are derived Intelligence and, with it, the intelligible.

But what is this principle and how are we to conceive it? It must be either a thinking being or not. If it is a thinking being, it will be Intelligence. If it is not, it will be ignorant of itself and will not be in any way venerable. To say that it is the Good or the most Simple—as long as we do not have something on which we can base our thought when we use these phrases—would be true, but would not be clear or perspicuous. The knowledge of other objects came

about through Intelligence, even the knowledge of a thinking thing. But by what immediate apprehension can we grasp this principle that is superior to Intelligence? We may answer that we apprehend it by that part of us which resembles it. For there is in us something of it; or, rather, there is no place where it is not for those that can participate in it. As it is everywhere, we can at any place receive something of it by directing to it that part of us which is capable of receiving it. Take the illustration of a sound in a desert and imagine a man located at any spot in that desert. Wherever it is that he listens to this sound, we will in one sense hear all of it and in another sense not. What then do we grasp by directing our intelligence towards this principle? In order to see what it seeks, Intelligence must, so to speak, turn backwards and, in spite of its duality, must deliver itself to what is behind itself, and must cease to be entirely Intelligence. Indeed, Intelligence is the first life and activity which comprehends all things, not by a movement which still is in progress, but by a movement which already is accomplished. Intelligence is life, comprehends all things, and possesses all things in detail, not just in their general traits; for otherwise it would possess them in an imperfect and vague manner. It must therefore necessarily proceed from a superior principle which, instead of being in the motion by which Intelligence runs through all things, is the origin of this motion, of life, of intelligence, and of all things. The originating principle is not the totality of all things; but from it all things proceed. The originating principle is neither all things nor any one of them. Otherwise it could not beget all things, but would be a multitude and not the origin of that multitude. Indeed, that which begets is always simpler than that which is begotten. Therefore, if this principle begets Intelligence, it necessarily is simpler than Intelligence. On the assumption that the One is also the totality of things, the One is either all things at once or each thing individually. Now if it originated from an assembling of all things, it would be posterior to all things. If the One co-existed with all things, the One would not be an origin. But if it is prior to all things, it will be different from all things. The One must be an originating principle and must exist before all things if all things are to originate from it. If we assume that the One is each particular thing, then any one thing would be identical with any other thing and all things would be together and there would be no differentiation. Thus the One is none of the totality of things, but prior to all things.

What then is the One? It is that which makes all things possible. Without it nothing would exist, not even Intelligence, the primary and universal life. What is above life is the cause of life. The activity of life, being all things, is not the first principle. It flows from this principle as from a spring. Imagine a spring which has no further origin, which pours itself into all rivers without

becoming exhausted by what it yields, and remains what it is, undisturbed. The streams that issue from it, before flowing away each in its own direction, mingle together for a while, but each already knows where it will take its floods. Or think of the life that circulates in a great tree. The originating principle of this life remains at rest and does not spread through the tree; for it has, as it were, its seat in the root. This principle gives to the plant all its life in its manifoldness, but remains itself at rest. It is not a plurality but the source of plurality. This is not surprising. Why should it be surprising that the manifoldness of life issues from that which is not manifold, and that the manifold would not exist without the prior existence of that which is not manifold? The principle is not distributed through the universe; if it were, the universe would be annihilated and could not be born again unless the principle remained within itself in its otherness.

That is why everywhere things are reduced to unity. There is for each thing a unity to which it may be reduced; and there is for each unity that which is superior to it but is not unity as such. This continues until one reaches Unity as such which cannot be reduced to any other. To grasp the oneness in a tree, that is, its stable principle, or in an animal, or in a soul, or in the universe, is to grasp, in each of these cases, that which is most powerful and precious. If at last we try to grasp the oneness that is found in the true realities and is their principle, source, and productive power, how can we, all of a sudden, become doubtful and believe that this principle amounts to nothing? Certainly this principle is none of the things of which it is the principle. It is such that nothing can be predicated of it, neither being, substance, nor life, because it is superior to all these things. But if you grasp it by abstracting from it even being, you will experience wonder. By directing your glance towards it, by reaching it, and resting in it, you will achieve a deep and immediate awareness of it and will at the same time see its greatness in the things which come after it and exist through it.

Consider also the following. Since Intelligence is a sort of seeing, that is, a seeing that is active, it really is a potentiality that passes into actualization. One will therefore have to distinguish in it form and matter. For the act of vision implies a duality; while before its actualization it was unity. Thus unity has become duality and duality has become unity. Ordinary vision achieves the goal and attains its kind of perfection through sense objects. But the vision of Intelligence achieves its goal through the Good. For if Intelligence were the Good itself, why would it need to seek or engage in any other activity? The activity of all things is oriented towards the Good and is due to it. But the Good itself does not need anything and therefore possesses nothing but itself. After one has pronounced this name "Good," one should ascribe nothing fur-

ther to it. For what you add to it, of that you suppose it to be in need. Not even Intelligence should be attributed to it. That would be introducing a difference into it, distinguishing in it two things, Intelligence and the Good. Intelligence needs the Good, but the Good does not need Intelligence. On achieving the Good, Intelligence becomes like the Good; for it derives its form from the Good and is perfected by the Good. The model should be conceived by the trace it leaves in Intelligence; the true Good, by the imprint it leaves. It is this trace of the Good which Intelligence possesses in its vision. That is why Intelligence aspires. Intelligence always aspires and always achieves its goal. The Good itself, however, never aspires to anything. For what could it desire? Nor does it achieve anything, since it desires nothing. Therefore it is not the same as Intelligence which does desire and does aspire to its form.

No doubt Intelligence is beautiful. It is the most beautiful of things. It is illuminated by a pure light and shines with a pure splendor; it contains the intelligible beings of which our world, in spite of its beauty, is but a shadow and an image. It lies in full resplendence because it contains nothing unintelligent or obscure or indefinite. It enjoys a blissful life. Wonder seizes him who sees it and who enters it properly and becomes one with it. Just as the view of heaven and the splendor of the stars lead one to seek and think of their author, so the contemplation of the intelligible world and the admiration it induces lead one to seek its author and to ask who has given existence to the intelligible world, where this author is, and how this author produced that world. Who is it that begot such a beautiful son as Intelligence which derives all of its fullness from its author? This supreme principle itself is neither Intelligence, nor plenitude, but is superior to them. They come after it because they need both to think and to be filled. They are close to the principle which wants nothing and does not even need to think. Nevertheless Intelligence possesses true plenitude and thought because it immediately participates in the Good. But that which is above Intelligence does not need or possess these things. Otherwise it would not be the Good. . . .

What then is the One? What is its nature? It is not surprising that it is difficult to say what it is, when it is difficult to explain even what Being is or Form is. Yet, with the latter, our knowledge still deals with objects that have form. But the more the soul advances towards what is formless, not being able to grasp it because it has no boundaries and having received a confused impression, she skids and fears she will meet nothingness. That is why, in the presence of such things she grows troubled and is glad to descend to the world below. She falls till she arrives in the world of sense objects where she pauses

as if on solid ground, just as the eye, fatigued by the contemplation of small objects, gladly turns to large ones. But when the soul wishes to contemplate in accordance with her nature, then, as she has her vision only because she is with the object of her vision, and as she is one because she is one with this object, she does not believe that she has found the object of her search; for she herself is not distinct from the object that she thinks. Nevertheless, a philosophical study of unity will follow this course. Since it is the One that is sought, since indeed it is the origin of all things, the Good, the First that is inquired after, a man who will wish to reach it must not withdraw from that which is of the first rank to sink to what occupies the last. Rather he must withdraw from sense objects which occupy the last rank in the scale of existence and turn to those entities that occupy the first. Such a man will have to free himself from all evil, since he aspires to rise to the Good. He will then rise to the principle that he possesses within himself. From the manifoldness that he was, he will again become one and thus will contemplate the supreme principle, the One. Having become Intelligence, having trusted his soul to and established her in Intelligence, so that with vigilant attention she may grasp all that Intelligence sees, he will, by Intelligence, contemplate unity, without the use of any senses, without mingling perception with the activity of Intelligence. He will contemplate the purest object through pure intelligence, through that which is supreme in Intelligence. Thus when a man applies himself to the contemplation of such an object and represents it to himself as a physical magnitude, or a figure, or a mass, it is not Intelligence that guides him in his contemplation, because it is not in the nature of Intelligence to see such things. But it is sensation and opinion, the associates of sensation, that are active in him. From Intelligence, however, one must expect the communication of things that belong to its realm. . . .

Our knowledge of the One comes to us neither by science nor by pure thought, as does the knowledge of other intelligible things, but by a presence which is superior to science. When the soul acquires scientific knowledge of something, she withdraws from unity and ceases being fully one; for science implies discursive reason and discursive reason implies manifoldness. She then misses the One and falls into number and multiplicity. We must therefore rise above science and never withdraw from unity. We must renounce science, the objects of science, and every other object, even beauty; for even beauty is posterior to the One and is derived from it as the daylight comes from the sun. That is why Plato says of the One that "it can neither be spoken nor written of." If we nevertheless speak of and write about it, we do so only to give direction, to stimulate towards that vision beyond discourse, as one might

point out the road to somebody who desired to see some object. Instruction indeed goes as far as showing the road and guiding in the way; but to obtain the vision is the work of him who desires to obtain it.

If one does not succeed in enjoying this spectacle, if one's soul does not attain the knowledge of that life beyond, if she does not within herself feel a rapture such as that of a lover who sees the beloved object and rests within it, if, because of one's proximity to the One, one receives the true light and has one's whole soul illuminated but still in one's ascent is oppressed by a weight which hinders one's contemplation, if one does not rise in a purified state but retains within oneself something that separates one from the One, if one is not yet unified enough, if one has not yet risen so far but still is at a distance, either because of the obstacles of which we just spoke or because of the lack of such instruction as would have given one direction and confidence in the existence of things beyond, one has no one to blame but oneself and should try to become pure by detaching oneself from everything. (For the One is not absent from anything, though in another sense it is absent from all things. It is present only to those who are able to receive it and are prepared for it, so as to enter into harmony with it, to "grasp" and to "touch" it by virtue of their similarity to it, by virtue of an inner power analogous to and stemming from the One when this power is in that state in which it was when it originated from the One. Thus they will see it as far as it can become an object of contemplation.) He who still lacks confidence in these arguments should consider the following.

Those who believe that the world of Being is governed by luck or chance and that it depends on material causes, are far removed from the divinity and from the conception of unity. It is not such men that we are addressing but such as admit the existence of a world different from the corporeal and at least acknowledge the existence of the soul. These men should then apply themselves to the study of the soul, learning among other things that she proceeds from Intelligence and achieves virtue by participating in that reason which proceeds from Intelligence. After that, they must realize that Intelligence is different from the faculty of reasoning or discursive reason, and that reasoning implies, as it were, separate steps and movement. They must see that scientific knowledge consists in the manifestation of the rational forms that exist in the soul and comes to the soul from Intelligence which is the source of scientific knowledge. After one has seen Intelligence, which seems like a thing of sense because it is immediately perceived, but which transcends the soul and is her father because it constitutes the intelligible world, one must say that Intelligence in its calm and undisturbed movement contains everything and is everything. In

its multiplicity it is both indivisible and divisible. It is not divisible like the contents of discursive reason which are conceived item by item. Still its contents are not indistinctly confused, either. Each of its elements is distinct from the others, just as in a science all the theories form an indivisible whole and yet each theory has its own separate status. This multitude of co-existing beings, the intelligible world, is near to the First. Its existence is necessary, as reason demonstrates, if there is also to be soul. But though the intelligible world is something superior to the soul, it is nevertheless not yet the supreme existence, because it is neither one, nor simple, while the One, the source of all things, is simple. . . .

Self-knowledge reveals to the soul that her natural motion is not in a straight line, unless it is deflected. On the contrary, her natural motion is like a circular motion around some interior object, around a center. The center is that from which proceeds that which is around it. If the soul knows this, she will move around the center from which she proceeds, and she will attach herself to it and commune with it, as indeed all souls should do but only divine souls always do. That is the secret of their divinity. For divinity consists in being attached to the center. Anyone who withdraws much from it becomes an ordinary man or an animal.

Is the "center" of the soul then the principle that we are seeking? No, we must look for some other principle towards which all "centers" converge and to which, only by analogy to the visible circle, the word "center" is applied. By saying that the soul has a circular motion, we do not mean that she describes a geometrical figure, but that in her and around her exists the primordial nature, that she derives her existence from the first existence, and especially that she is entirely separated from the body. Now, however, as we have a part of our being contained in the body, we resemble a man whose feet are plunged in water while the rest of his body remains above it. Raising ourselves above the body by that part of us which is not immersed, we are, by our own center, attaching ourselves to the "center" of all things; and so we rest, just as we make the centers of the great circles coincide with that of the sphere that surrounds them. If these circles were corporeal, not "circles" described by the soul, the center and circumference would have to occupy certain places. But since the souls are of the order of intelligible beings and the One is still above Intelligence, we shall have to assert that the union of the thinking being with its object proceeds by different means. The thinking object is in the presence of its object by virtue of its similarity and identity, and it is united with its kindred without anything to separate them. Bodies are by their very bodies kept from union. But the incorporeal cannot be arrested by bodies. That which

separates incorporeal beings from one another is not local distance, but their difference and diversity. When there is no difference between them, they are present in each other.

As the One does not contain any difference, it is always present, and we are present to it as soon as we contain no more difference. It is not the One which is aspiring to us, so as to move around us. But it is we who are aspiring to it, so as to move around it. Though we always move around it, we do not always keep our glance fixed on it. We resemble a chorus which surrounds its leader, whose members, nonetheless, do not always sing in time because they allow their attention to be distracted by some exterior object. If, however, they turned towards their leader, they would sing well and really be with him. In a similar way, we too always turn around the One. If not, we should dissolve and cease to exist. But our glance does not remain fixed on the One. When, however, we look to it, we attain the end of our desires and find rest. Then we dance around it, without dissonance, a truly divine dance.

In this dance the soul sees the source of life, the source of Intelligence, the origin of Being, the cause of the good, and the root of the soul. All these entities proceed from the One without diminishing it; for it is not a corporeal mass. Otherwise the things that are born of it would be perishable. They are eternal because their originating principle always remains the same and does not divide itself in producing them, but remains entire. They therefore persist too, just as the light persists as long as the sun remains. Neither are we separated from the One or distant from it, even though corporeal nature by intruding itself has drawn us to it. But it is through the One that we breathe and are preserved. It does not bestow its gifts at one moment, only to leave us again; but its giving is perpetual, as long as it remains what it is. As we turn towards it, we exist to a higher degree, while to withdraw from it is to fall. Our soul rests delivered from all evils by rising to that place free from all evil. There she really thinks, there she is impassive, there she really lives. Our present life, in which we are not united with the divinity, is only a trace or copy of real life. The life beyond consists in the activity of Intelligence. It is this activity of Intelligence which, without motion and by its contact with the One, begets the divinities and beauty, justice, and virtue. These are begotten by the soul that is filled with divinity, and this is her starting point and goal. It is her starting point because it is from the world above that she proceeds. It is her goal because in the world above is the good to which she aspires and by returning to it she regains her proper nature. Life here below in the midst of sense objects is for the soul a degradation, an exile, a loss of wings.

Another proof that our good is found in the world above is the love that is innate in our souls, as is shown in the pictures and myths which couple Eros

with Psyche. In fact, since the soul, though different from the divinity, proceeds from it, she must necessarily love it. But when she is in the world above, her love is celestial. Here below her love is only commonplace. It is in the world above that dwells the celestial Aphrodite, while here below resides the vulgar Aphrodite who is similar to a concubine. Now every soul is an Aphrodite as is suggested in the myth of the birth of Aphrodite and the simultaneous birth of Eros. As long as the soul remains faithful to her nature, she loves the divinity and desires to be united with it, as a virgin loves a noble father with a noble love. When, however, the soul has descended into the world of generation, as if deceived by the false promises of an adulterous lover, she has exchanged her divine love for a mortal one. Then, at a distance from her father, she yields to all kinds of excesses. But when she begins to hate these excesses, purifies herself, and returns to her father, she finds true happiness. How great her bliss then is can be conceived, by those who have not tasted it, by thinking of earthly love unions, observing the joy felt by the lover who succeeds in obtaining what he desires. But this love is directed to mortal and harmful objects, to shadows. It soon disappears because they are not the real objects of our love nor the good we are really seeking. Only in the world beyond is the real object of our love, the only one with which we can unite ourselves, which we can have part of, and which we can intimately possess without being separated by the barrier of flesh. He who has had this experience will know what I am talking about. He will know that the soul lives another life as she advances towards the One, reaches and participates in it, and in this condition recognizes the presence of the dispenser of the true life. Then she needs nothing more. On the contrary, she has to renounce everything else and to remain fixed in it alone, to identify herself with it, and to cut off all the encumbrances that attach themselves to us. We then hasten to leave from here below and regret the chains which bind us to other things, in order so to embrace the real object of our love by our whole being that no part of us is not in contact with it. Then one can see it and oneself, as far as it is permitted to see. One sees oneself shining brilliantly, filled with intelligible light. Or rather one is oneself pure light, that is, subtle and weightless. One has *become* divine, or rather one *is* part of the eternal Being of the divine that is beyond becoming. In this condition one is like a flame; but if later one is weighted down again by the sense world, one is like a light that is extinguished.

Why does one who has risen to the world above not stay there? He does not stay there because he has not yet entirely detached himself from things here below. But a time will come when he will uninterruptedly enjoy the vision, when he will no longer be troubled by the body. The part of us that has the vision is not the one that is troubled, but the other part which, even when we

cease from our vision, does not cease from its activity, namely, from the scientific operations of demonstration, proof, and dialectic. But the vision and the agency that has it do not consist in discursive reasoning, but in something greater than, prior, and superior to reason, and the same holds for the object of the vision. When he who sees looks upon himself in the act of vision, he will see himself as like his object or rather as united to himself in the way in which an object of this kind is united to itself. That is, he will experience himself as simple, just as such an object is simple. We should not even say "he will see." That which is seen, in case that it still is possible to distinguish here that which sees from that which is seen, or to assert that these two things do not form a single one—a rash assertion indeed—is not seen, distinguished or represented as a thing apart. He who has the vision becomes, as it were, another being. He ceases to be himself, he retains nothing of himself. Absorbed in the beyond he is one with it, like a center that coincides with another center. While these centers coincide, they are one; but they become two when they separate. It is in this sense only that we can speak of the One as something separate. Hence it is very difficult to describe this vision. For how can we represent as different from us that which did not seem, while we were contemplating it, other than ourselves but in perfect at-oneness with us?

This, no doubt, is the meaning of the injunction of the mystery rites which prohibits their revelation to the uninitiated. As that which is divine is not expressible, the initiate is forbidden to talk of it to anyone who has not had the happiness of beholding it. The vision did not imply a duality, but he who saw was identical with what he saw. Hence he did not "see" it but rather was united with it. If only he could preserve the memory of what he was while thus absorbed into the One, he would, within himself, possess an image of the One. In that state he had attained unity and contained no difference, in regard either to himself or to other beings. In his ascent there was within him no movement, no anger, desire, reason, nor thought. In sum, he was no longer himself; but, swept away and filled with enthusiasm, he was tranquil, solitary, and unmoved. He did not withdraw from the One nor did he turn towards himself. He was indeed in a state of perfect stability, having, so to say, become stability itself. In this condition he busies himself no longer even with beauty. For he has risen above Beauty and has passed beyond even the choir of virtues, just as he who penetrates into the innermost sanctuary of a temple leaves behind him the statues placed in the rest of the temple. These statues are the first objects that will strike his view on his exit from the sanctuary after he has experienced the vision it offers. The intimate communion, however, is not with an image or statue (which is contemplated only when he comes out), but with that which it represents. That experience was hardly a vision, but a quite

different kind of seeing, a self-transcendence, a simplification, a self-abandonment, a striving for contact, a quietude, an intentness on adaptation. This is the way one sees in the sanctuary. Anyone who seeks to see in any other way will see nothing.

By making use of these images the wise among the priests wished to suggest how the divinity might be seen. A wise priest, penetrating behind the image, will, when he has arrived in the world beyond, achieve the true vision of the sanctuary. If he has not yet arrived there, he will, in knowing that the true sanctuary is invisible, also know that it is the source and principle of everything, that only through the principle is the principle seen, and that like only joins like. He will leave aside no divine thing which the soul is capable of acquiring. If he has not yet completed his vision, he will see to it that it is completed. This completion for him who has risen above all things consists in the existence that is above all things. When the soul descends, she will by her nature never reach complete nothingness. She will fall into evil and, in this sense, into nothingness, but not into complete nothingness. In a similar way, when the soul reverses her direction, she does not arrive at something different, but at herself. She thus is not in anything different from herself, but in herself. But as she is in herself alone and not even in the world of Being, she is in the existence beyond. We too transcend Being by virtue of the soul with which we are united. Now if one sees oneself in this state, one finds oneself an image of the One. If one rises beyond oneself, an image rising to its model, one has reached the goal of one's journey. When one falls from this vision, one will, by arousing the virtue that is within oneself, and by remembering the perfections that one possesses, regain one's lightness and through virtue rise to Intelligence, and through wisdom to the One. Such is the life of gods and of divine and blessed men, detachment from all things here below, scorn of all earthly pleasures, and flight of the alone to the alone.

III

THE MEDIEVAL HERITAGE: THE CHRISTIAN CONCEPTION OF LIFE

SAINT AUGUSTINE

THE SUCCESS of the Christian Church in Roman times was the result of a series of syntheses of the intellectual tradition of Greece with the religious traditions of the Orient. In particular, St. Augustine (354-430) transformed the ideas of the Greco-Roman world into the faith of the early Middle Ages. The enduring historical importance of the philosophy of St. Augustine is due primarily to its imposing and comprehensive organization and expression of human experience. Augustine brought to the test of an intense personal experience practically every important group of ideas represented in the Roman era, and he organized them in a way that was peculiarly germane to the major concerns of an age emerging from what Professor Gilbert Murray has called "a failure of nerve."

The principal episodes in the development of St. Augustine into the philosopher of the Christian Church are recorded in his *Confessions*. A native of North Africa, and originally intended for a career in the law, his education brought him under different influences and, finally (under the tutelage of Ambrose, bishop of Milan), that of Christianity. As a priest and as bishop at Carthage, Augustine devoted himself for the best part of his life to the practical and theoretical problem of attaining unity within the Christian Church.

The Augustinian philosophy is a compound of elements taken from the teachings of the Jewish Jesus of Nazareth, from the interpretation of the gospel by Paul, "the apostle to the Gentiles," from the theology of Manicheism, and from the philosophy of Neoplatonism. Paul conceived the victory of the spirit to be possible only through the magic of a transforming faith, and the brotherhood of all men in Christ was signalized, in the final analysis, by common initiation into the death and resurrection of the Savior and by mystic participation in Christ. The "errors" of Augustine's youth enriched this conception of Christianity. In the first place, he interpreted God in a Neoplatonic fashion as the One in Whom alone spirits can find rest, peace, and happiness. All Being emanates from Him and to Him all true beings return. Material bodies are the negation of being. This Neoplatonic doctrine is retained by Augustine side by side with vestiges of the Manichean "error" of interpreting the universe as the struggle between two competing forces—good and evil. While Augustine's theology makes evil purely negative, all history is held to be the conflict between the eternal City of God and the temporal Kingdom of Satan or the City of Earth, which is temporary as well as temporal.

Augustine's success was primarily the triumph of a thinker able to combine the major intellectual currents of his day in such a way as to sharpen their impact on men and to satisfy the need which he and others of his time felt above all else—the need for consolation through moral regeneration and the promise of salvation.

Writing about the decline of Rome, which had made men feel "as though the sky had fallen," and which made the pagans blame the Christians for its fall, Augustine devotes himself to showing that Rome, instead of being the Eternal

City, was but one more of the cities of the world, born and bred in strife, and doomed to pass. The fall of Rome could be a cause for despair only if one failed to see that it bore witness to the moral governance of the world and to the fact that the only "eternal city" was the City of God. Rome was destined to fall because it was a creature of the warring and greedy side of human nature. At the same time, Augustine feels that Rome had served in the capacity of half-nurse, half-tutor of the human race, preparing it for the spiritual destiny placed upon it by history.

For Augustine, the Church was the organ ministering in this life to the needs revealed for the heavenly life. One aspect of his importance in the history of social and political institutions rests upon his formulation of the theory in terms of which the Christian Church through subsequent centuries operated as the supreme organ for the attainment of salvation, exercising through the sacraments almost a monopoly on the means of grace.

The following selections are from the *Enchiridion* (*Handbook*), translated by J. F. Shaw, and from the *City of God*, translated by Marcus Dods (Edinburgh, 1872). Both translations are from the Latin.



ENCHIRIDION

CHAPTER IX: WHAT WE ARE TO BELIEVE. IN REGARD TO NATURE IT IS NOT NECESSARY FOR THE CHRISTIAN TO KNOW MORE THAN THAT THE GOODNESS OF THE CREATOR IS THE CAUSE OF ALL THINGS

WHEN . . . THE QUESTION is asked what we are to believe in regard to religion, it is not necessary to probe into the nature of things, as was done by those whom the Greeks call *physici*; nor need we be in alarm lest the Christian should be ignorant of the force and number of the elements,—the motion, and order, and eclipses of the heavenly bodies; the form of the heavens; the species and the natures of animals, plants, stones, fountains, rivers, mountains; about chronology and distances; the signs of coming storms; and a thousand other things which those philosophers either have found out, or think they have found out. For even these men themselves, endowed though they are with so much genius, burning with zeal, abounding in leisure, tracking some things by the aid of human conjecture, searching into others with the aids of history and experience, have not found out all things; and even their boasted discoveries are oftener mere guesses than certain knowledge. It is enough for the Christian to believe that the only cause of all created things, whether heavenly or earthly, whether visible or invisible, is the goodness of the Creator, the one true God; and that nothing exists but Himself that does not derive its existence from Him; and that He is the Trinity—to wit, the Father, and the

Son begotten of the Father, and the Holy Spirit proceeding from the same Father, but one and the same Spirit of Father and Son. . . .

CHAPTER XXV: GOD'S JUDGMENTS UPON FALLEN MEN AND ANGELS. THE DEATH OF THE BODY IS MAN'S PECULIAR PUNISHMENT

. . . There is one form of punishment peculiar to man—the death of the body. God had threatened him with this punishment of death if he should sin,¹ leaving him indeed to the freedom of his own will, but yet commanding his obedience under pain of death; and He placed him amid the happiness of Eden, as it were in a protected nook of life, with the intention that, if he preserved his righteousness, he should thence ascend to a better place.

CHAPTER XXVI: THROUGH ADAM'S SIN HIS WHOLE POSTERITY WERE CORRUPTED, AND WERE BORN UNDER THE PENALTY OF DEATH, WHICH HE HAD INCURRED

Thence, after his sin, he was driven into exile, and by his sin the whole race of which he was the root was corrupted in him, and thereby subjected to the penalty of death. And so it happens that all descended from him, and from the woman who had led him into sin, and was condemned at the same time with him,—being the offspring of carnal lust on which the same punishment of disobedience was visited,—were tainted with the original sin, and were by it drawn through divers errors and sufferings into that last and endless punishment which they suffer in common with the fallen angels, their corrupters and masters, and the partakers of their doom. And thus “by one man sin entered into the world, and death by sin; and so death passed upon all men, for that all have sinned.”² By “the world” the apostle, of course, means in this place the whole human race.

CHAPTER XXVII: THE STATE OF MISERY TO WHICH ADAM'S SIN REDUCED MANKIND, AND THE RESTORATION EFFECTED THROUGH THE MERCY OF GOD

Thus, then, matters stood. The whole mass of the human race was under condemnation, was lying steeped and wallowing in misery, and was being tossed from one form of evil to another, and, having joined the faction of the fallen angels, was paying the well-merited penalty of that impious rebellion. For whatever the wicked freely do through blind and unbridled lust, and whatever they suffer against their will in the way of open punishment, this all evidently pertains to the just wrath of God. But the goodness of the Crea-

¹ Gen. ii, 17.

² Rom. v, 12.

tor never fails either to supply life and vital power to the wicked angels (without which their existence would soon come to an end); or, in the case of mankind, who spring from a condemned and corrupt stock, to impart form and life to their seed, to fashion their members, and through the various seasons of their life, and in the different parts of the earth, to quicken their senses, and bestow upon them the nourishment they need. For He judged it better to bring good out of evil, than not to permit any evil to exist. And if He had determined that in the case of men, as in the case of the fallen angels, there should be no restoration to happiness, would it not have been quite just, that the being who rebelled against God, who in the abuse of his freedom spurned and transgressed the command of his Creator when he could so easily have kept it, who defaced in himself the image of his Creator by stubbornly turning away from His light, who by an evil use of his free-will broke away from his wholesome bondage to the Creator's laws,—would it not have been just that such a being should have been wholly and to all eternity deserted by God, and left to suffer the everlasting punishment he had so richly earned? Certainly so God would have done, had He been only just and not also merciful, and had He not designed that His unmerited mercy should shine forth the more brightly in contrast with the unworthiness of its objects. . . .

CHAPTER XXX: MEN ARE NOT SAVED BY GOOD WORKS, NOR BY THE FREE DETERMINATION OF THEIR OWN WILL, BUT BY THE GRACE OF GOD THROUGH FAITH

But this part of the human race to which God has promised pardon and a share in His eternal kingdom, can they be restored through the merit of their own works? God forbid. For what good work can a lost man perform, except so far as he has been delivered from perdition? Can they do anything by the free determination of their own will? Again I say, God forbid. For it was by the evil use of his free-will that man destroyed both it and himself. For, as a man who kills himself must, of course, be alive when he kills himself, but after he has killed himself ceases to live, and cannot restore himself to life; so, when man by his own free-will sinned, then sin being victorious over him, the freedom of his will was lost. "For of whom a man is overcome, of the same is he brought in bondage."⁸ This is the judgment of the Apostle Peter. And as it is certainly true, what kind of liberty, I ask, can the bond-slave possess, except when it pleases him to sin? For he is freely in bondage who does with pleasure the will of his master. Accordingly, he who is the servant of sin is free to sin. And hence he will not be free to do right, until, being freed from sin, he shall begin to be the servant of righteousness. And this is true liberty,

⁸ II Pet. ii, 19.

for he has pleasure in the righteous deed; and it is at the same time a holy bondage, for he is obedient to the will of God. But whence comes this liberty to do right to the man who is in bondage and sold under sin, except he be redeemed by Him who has said, "If the Son shall make you free, ye shall be free indeed?"⁴ And before this redemption is wrought in a man, when he is not yet free to do what is right, how can he talk of the freedom of his will and his good works, except he be inflated by that foolish pride of boasting which the apostle restrains when he says, "By grace are ye saved, through faith."⁵

CHAPTER XXXI: FAITH ITSELF IS THE GIFT OF GOD; AND GOOD WORKS WILL NOT BE WANTING IN THOSE WHO BELIEVE

And lest men should arrogate to themselves the merit of their own faith at least, not understanding that this too is the gift of God, this same apostle, who says in another place that he had "obtained mercy of the Lord to be faithful,"⁶ here also adds: "and that not of yourselves; it is the gift of God: not of works, lest any man should boast."⁷ And lest it should be thought that good works will be wanting in those who believe, he adds further: "For we are His workmanship, created in Christ Jesus unto good works, which God hath before ordained that we should walk in them."⁸ We shall be made truly free, then, when God fashions us, that is, forms and creates us anew, not as men—for He has done that already—but as good men, which His grace is now doing, that we may be a new creation in Christ Jesus, according as it is said: "Create in me a clean heart, O God."⁹ For God had already created his heart, so far as the physical structure of the human heart is concerned; but the psalmist prays for the renewal of the life which was still lingering in his heart.

CHAPTER XXXII: THE FREEDOM OF THE WILL IS ALSO THE GIFT OF GOD, FOR GOD WORKETH IN US BOTH TO WILL AND TO DO

And further, should any one be inclined to boast, not indeed of his works, but of the freedom of his will, as if the first merit belonged to him, this very liberty of good action being given to him as a reward he had earned, let him listen to this same preacher of grace, when he says: "For it is God which worketh in you, both to will and to do of His own good pleasure";¹⁰ and in another place: "So, then, it is not of him that willeth, nor of him that runneth, but of God that showeth mercy."¹¹ Now as, undoubtedly, if a man is of the age to use his reason, he cannot believe, hope, love, unless he will to do so, nor obtain the prize of the high calling of God unless he voluntarily run for it; and what sense is it "not of him that willeth, nor of him that runneth, but

⁴ John viii, 36.

⁵ Eph. ii, 10.

⁶ Eph. ii, 8.

⁷ Ps. li, 10.

⁸ 1 Cor. vii, 25.

⁹ Phil. ii, 13.

¹⁰ Eph. ii, 8, 9.

¹¹ Rom. ix, 16.

of God that sheweth mercy," except that, as it is written, "the preparation of the heart is from the Lord?"¹² . . . The true interpretation of the saying, "It is not of him that willeth, nor of him that runneth, but of God that sheweth mercy," is that the whole work belongs to God, who both makes the will of man righteous, and thus prepares it for assistance, and assists it when it is prepared. For the man's righteousness of will precedes many of God's gifts, but not all; and it must itself be included among those which it does not precede. We read in Holy Scripture, both that God's mercy "shall meet me,"¹³ and that His mercy "shall follow me."¹⁴ It goes before the unwilling to make him willing; it follows the willing to make his will effectual. Why are we taught to pray for our enemies,¹⁵ who are plainly unwilling to lead a holy life, unless that God may work willingness in them? And why are we ourselves taught to ask that we may receive,¹⁶ unless that He who has created in us the wish, may Himself satisfy the wish? We pray, then, for our enemies, that the mercy of God may prevent them, as it has prevented us: we pray for ourselves that His mercy may follow us.

CHAPTER XXXIII: MEN, BEING BY NATURE THE CHILDREN OF WRATH,
NEEDED A MEDIATOR. IN WHAT SENSE GOD IS SAID TO BE ANGRY

And so the human race was lying under a just condemnation, and all men were the children of wrath. Of which wrath it is written: "All our days are passed away in Thy wrath; we spend our years as a tale that is told."¹⁷ Of which wrath also Job says: "Man that is born of a woman is of few days, and full of trouble."¹⁸ Of which wrath also the Lord Jesus says: "He that believeth on the Son hath everlasting life: and he that believeth not the Son shall not see life; but the wrath of God abideth on him."¹⁹ He does not say it will come, but it "abideth on him." For every man is born with it; wherefore the apostle says: "We were by nature the children of wrath, even as others."²⁰ Now, as men were lying under this wrath by reason of their original sin, and as this original sin was the more heavy and deadly in proportion to the number and magnitude of the actual sins which were added to it, there was need for a Mediator, that is, for a reconciler, who, by the offering of one sacrifice, of which all the sacrifices of the law and the prophets were types, should take away this wrath. Wherefore the apostle says: "For if, when we were enemies, we were reconciled to God by the death of His Son, much more, being reconciled, we shall be saved by His life."²¹ Now when God is said to be angry, we do

¹² Prov. xvi, 1.

¹³ Ps. lix, 10.

¹⁴ Ps. xxiii, 6.

¹⁵ Matt. v, 44.

¹⁶ Matt. vii, 7.

¹⁷ Ps. xc, 9.

¹⁸ Job. xiv, 1.

¹⁹ John iii, 36. These words, attributed by the author to Christ, were really spoken by John the Baptist.

²⁰ Eph. ii, 3.

²¹ Rom. v, 10.

not attribute to Him such a disturbed feeling as exists in the mind of an angry man; but we call His just displeasure against sin by the name "anger," a word transferred by analogy from human emotions. But our being reconciled to God through a Mediator, and receiving the Holy Spirit, so that we who were enemies are made sons ("For as many as are led by the Spirit of God, they are the sons of God"): ²² this is the grace of God through Jesus Christ our Lord. . . .

CHAPTER XLI: CHRIST, WHO WAS HIMSELF FREE FROM SIN, WAS MADE SIN FOR US, THAT WE MIGHT BE RECONCILED TO GOD

Begotten and conceived, . . . without any indulgence of carnal lust, and therefore bringing with Him no original sin, and by the grace of God joined and united in a wonderful and unspeakable way in one person with the Word, the Only-begotten of the Father, a son by nature, not by grace, and therefore having no sin of His own; nevertheless, on account of the likeness of sinful flesh in which He came, He was called sin, that He might be sacrificed to wash away sin. For, under the Old Covenant, sacrifices for sin were called sins.²³ And He, of whom all these sacrifices were types and shadows, was Himself truly made sin. Hence the apostle, after saying, "We pray you in Christ's stead, be ye reconciled to God," forthwith adds: "for He hath made Him to be sin for us who knew no sin; that we might be made the righteousness of God in Him."²⁴ He does not say, as some incorrect copies read, "He who knew no sin did sin for us," as if Christ had Himself sinned for our sakes; but he says, "Him who knew no sin," that is, Christ, God, to whom we are to be reconciled, "hath made to be sin for us," that is, hath made Him a sacrifice for our sins, by which we might be reconciled to God. He, then, being made sin, just as we are made righteousness (our righteousness being not our own, but God's, not in ourselves, but in Him); He being made sin, not His own, but ours, not in Himself, but in us, showed, by the likeness of sinful flesh in which He was crucified, that though sin was not in Him, yet that in a certain sense He died to sin, by dying in the flesh which was the likeness of sin; and that although He Himself had never lived the old life of sin, yet by His resurrection He typified our new life springing up out of the old death in sin. . . .

CHAPTER XLV: IN ADAM'S FIRST SIN, MANY KINDS OF SIN WERE INVOLVED

However, even in that one sin, which "by one man entered into the world, and so passed upon all men,"²⁵ and on account of which infants are baptized, a number of distinct sins may be observed, if it be analyzed as it were into its separate elements. For there is in it pride, because man chose to be under

²² Rom. viii, 14. ²³ Hos. iv, 8. ²⁴ II Cor. v, 20, 21; Rom. v, 16. ²⁵ Rom. v, 12.

his own dominion, rather than under the dominion of God; and blasphemy, because he did not believe God; and murder, for he brought death upon himself; and spiritual fornication, for the purity of the human soul was corrupted by the seducing blandishments of the serpent; and theft, for man turned to his own use the food he had been forbidden to touch; and avarice, for he had a craving for more than should have been sufficient for him; and whatever other sin can be discovered on careful reflection to be involved in this one admitted sin.

CHAPTER L: CHRIST TOOK AWAY NOT ONLY THE ONE ORIGINAL SIN, BUT ALL THE OTHER SINS THAT HAVE BEEN ADDED TO IT

. . . The first man brought one sin into the world, but this man took away not only that one sin, but all that He found added to it. Hence the apostle says: "And not as it was by one that sinned, so is the gift: for the judgment was by one to condemnation, but the free gift is of many offenses unto justification."²⁶ For it is evident that the one sin which we bring with us by nature would, even if it stood alone, bring us under condemnation; but the free gift justifies man from many offenses: for each man, in addition to the one sin which, in common with all his kind, he brings with him by nature, has committed many sins that are strictly his own. . . .

CHAPTER LVI: THE HOLY SPIRIT AND THE CHURCH. THE CHURCH IS THE TEMPLE OF GOD

And now, having spoken of Jesus Christ, the only Son of God, our Lord, with the brevity suitable to a confession of our faith, we go on to say that we believe also in the Holy Ghost,—thus completing the Trinity which constitutes the Godhead. Then we mention the Holy Church. And thus we are made to understand that the intelligent creation, which constitutes the free Jerusalem,²⁷ ought to be subordinate in the order of speech to the Creator, the Supreme Trinity: for all that is said of the man Christ Jesus has reference, of course, to the unity of the person of the Onlybegotten. Therefore the true order of the Creed demanded that the Church should be made subordinate to the Trinity, as the house to Him who dwells in it, the temple to God who occupies it, and the city to its builder. And we are here to understand the whole Church, not that part of it only which wanders as a stranger on the earth, praising the name of God from the rising of the sun to the going down of the same, and singing a new song of deliverance from its old captivity; but that part also which has always from its creation remained steadfast to God in heaven, and has never experienced the misery consequent upon a fall. This part is made

²⁶ Rom. v, 16.

²⁷ Gal. iv, 26.

up of the holy angels, who enjoy uninterrupted happiness; and (as it is bound to do) it renders assistance to the part which is still wandering among strangers: for these two parts shall be one in the fellowship of eternity, and now they are one in the bonds of love, the whole having been ordained for the worship of the one God. Wherefore, neither the whole Church, nor any part of it, has any desire to be worshipped instead of God, nor to be God to any one who belongs to the temple of God—that temple which is built up of the saints who were created by the uncreated God. . . . The temple of God, then, that is, of the Supreme Trinity as a whole, is the Holy Church, embracing in its full extent both heaven and earth. . . .

CHAPTER LXV: GOD PARDONS SINS, BUT ON CONDITION OF PENITENCE,
CERTAIN TIMES FOR WHICH HAVE BEEN FIXED BY THE LAW OF THE
CHURCH

. . . Crimes themselves, however great, may be remitted in the Holy Church; and the mercy of God is never to be despaired of by men who truly repent, each according to the measure of his sin. And in the act of repentance, where a crime has been committed of such a nature as to cut off the sinner from the body of Christ, we are not to take account so much of the measure of time as of the measure of sorrow; for a broken and a contrite heart God does not despise.²⁸ But as the grief of one heart is frequently hid from another, and is not made known to others by words or other signs, when it is manifest to Him of whom it is said, "My groaning is not hid from Thee,"²⁹ those who govern the Church have rightly appointed times of penitence, that the Church in which the sins are remitted may be satisfied; and outside the Church sins are not remitted. For the Church alone has received the pledge of the Holy Spirit, without which there is no remission of sins—such, at least, as brings the pardoned to eternal life.

CHAPTER LXI: THE PARDON OF SIN HAS REFERENCE CHIEFLY TO THE FU-
TURE JUDGMENT

Now the pardon of sin has reference chiefly to the future judgment. For, as far as this life is concerned, the saying of Scripture holds good: "A heavy yoke is upon the sons of Adam, from the day that they go out of their mother's womb, till the day that they return to the mother of all things."³⁰ So that we see even infants, after baptism and regeneration, suffering from the infliction of divers evils: and thus we are given to understand, that all that is set forth in the sacraments of salvation refers rather to the hope of future good, than

²⁸ Ps. li, 17.

²⁹ Ps. xxxviii, 9.

³⁰ Eccclus. xl, 1.

to the retaining or attaining of present blessings. For many sins seem in this world to be overlooked and visited with no punishment, whose punishment is reserved for the future (for it is not in vain that the day when Christ shall come as Judge of quick and dead is peculiarly named the day of judgment); just as, on the other hand, many sins are punished in this life, which nevertheless are pardoned, and shall bring down no punishment in the future life. . . .

CHAPTER LXXXI: THERE ARE TWO CAUSES OF SIN, IGNORANCE AND WEAKNESS; AND WE NEED DIVINE HELP TO OVERCOME BOTH

I shall now say this, which I have often said before in other places of my works. There are two causes that lead to sin: either we do not yet know our duty, or we do not perform the duty that we know. The former is the sin of ignorance, the latter of weakness. Now against these it is our duty to struggle; but we shall certainly be beaten in the fight, unless we are helped by God, not only to see our duty, but also, when we clearly see it, to make the love of righteousness stronger in us than the love of earthly things, the eager longing after which, or the fear of losing which, leads us with our eyes open into known sin. In the latter case we are not only sinners, for we are so even when we err through ignorance, but we are also transgressors of the law; for we leave undone what we know we ought to do, and we do what we know we ought not to do. Wherefore not only ought we to pray for pardon when we have sinned, saying, "Forgive us our debts, as we forgive our debtors"; but we ought to pray for guidance, that we may be kept from sinning, saying, "and lead us not into temptation." And we are to pray to Him of whom the Psalmist says, "The Lord is my light and my salvation":⁸¹ my light, for He removes my ignorance; my salvation, for He takes away my infirmity.

CHAPTER XCI: THE BODIES OF THE SAINTS SHALL AT THE RESURRECTION BE SPIRITUAL BODIES

The bodies of the saints, then, shall rise again free from every defect, from every blemish, as from all corruption, weight, and impediment. For their ease of movement shall be as complete as their happiness. Whence their bodies have been called *spiritual*, though undoubtedly they shall be bodies and not spirits. For just as now the body is called *animate*, though it is a body, and not a soul [*anima*], so then the body shall be called spiritual, though it shall be a body, not a spirit.⁸² Hence, as far as regards the corruption which now weighs down the soul, and the vices which urge the flesh to lust against the spirit,⁸³ it shall not then be flesh, but body; for there are bodies which are called celestial. . . .

⁸¹ Ps. cxvii, 1.

⁸² I Cor. xv, 44.

⁸³ Wisd. ix, 16; Gal. v, 17.

CHAPTER XCII: THE RESURRECTION OF THE LOST

But as for those who, out of the mass of perdition caused by the first man's sin, are not redeemed through the one Mediator between God and man, they too shall rise again, each with his own body, but only to be punished with the devil and his angels. Now, whether they shall rise again with all their diseases and deformities of body, bringing with them the diseased and deformed limbs which they possessed here, it would be labor lost to inquire. For we need not weary ourselves speculating about their health or their beauty, which are matters uncertain, when their eternal damnation is a matter of certainty. . . .

CHAPTER XCIV: THE SAINTS SHALL KNOW MORE FULLY IN THE NEXT WORLD
THE BENEFITS THEY HAVE RECEIVED BY GRACE

Thus, when reprobate angels and men are left to endure everlasting punishment, the saints shall know more fully the benefits they have received by grace. Then, in contemplation of the actual facts, they shall see more clearly the meaning of the expression in the psalms, "I will sing of mercy and judgment";⁸⁴ for it is only of unmerited mercy that any is redeemed, and only in well-merited judgment that any is condemned.

CHAPTER XCV: GOD'S JUDGMENTS SHALL THEN BE EXPLAINED

Then shall be made clear much that is now dark. For example, when of two infants, whose cases seem in all respects alike, one is by the Mercy of God chosen to Himself, and the other is by His justice abandoned (wherein the one who is chosen may recognize what was of justice due to himself, had not mercy intervened); why, of these two, the one should have been chosen rather than the other, is to us an insoluble problem. And again, why miracles were not wrought in the presence of men who would have repented at the working of the miracles, while they were wrought in the presence of others who, it was known, would not repent. For our Lord says most distinctly: "Woe unto thee, Chorazin! woe unto thee, Bethsaida! for if the mighty works, which were done in you, had been done in Tyre and Sidon, they would have repented long ago in sackcloth and ashes."⁸⁵ And assuredly there was no injustice in God's not willing that they should be saved, though they could have been saved had He so willed it. Then shall be seen in the clearest light of wisdom what with the pious is now a faith, though it is not yet a matter of certain knowledge, how sure, how unchangeable, and how effectual is the will of God; how many things He can do which He does not will to do, though willing nothing which He cannot perform; and how true is the song of the

⁸⁴ Ps. ci, 1.⁸⁵ Matt. xi, 21.

psalmist, "But our God is in the heavens; He hath done whatsoever He hath pleased."⁸⁶ And this certainly is not true, if God has ever willed anything that He has not performed; and, still worse, if it was the will of man that hindered the Omnipotent from doing what He pleased. Nothing, therefore, happens but by the will of the Omnipotent, He either permitting it to be done, or Himself doing it.

CHAPTER XCVI: THE OMNIPOTENT GOD DOES WELL EVEN IN THE PERMISSION OF EVIL

Nor can we doubt that God does well even in the permission of what is evil. For He permits it only in the justice of His judgment. And surely all that is just is good. Although, therefore, evil, in so far as it is evil, is not a good; yet the fact that evil as well as good exists, is a good. For if it were not a good that evil should exist, its existence would not be permitted by the omnipotent God, who without doubt can as easily refuse to permit what He does not wish, as bring about what He does wish. And if we do not believe this, the very first sentence of our creed is endangered, wherein we profess to believe in God the Father Almighty. For He is not truly called Almighty if He cannot do whatsoever He pleases, or if the power of His almighty will is hindered by the will of any creature whatsoever. . . .

CHAPTER XCVIII: PREDESTINATION TO ETERNAL LIFE IS WHOLLY OF GOD'S FREE GRACE

And, moreover, who will be so foolish and blasphemous as to say that God cannot change the evil wills of men, whichever, whenever, and wheresoever He chooses, and direct them to what is good? But when He does this, He does it of mercy; when He does it not, it is of justice that He does it not; for "He hath mercy on whom He will have mercy, and whom He will He hardeneth."⁸⁷ And when the apostle said this, he was illustrating the grace of God, in connection with which he had just spoken of the twins in the womb of Rebecca, "who being not yet born, neither having done any good or evil, that the purpose of God according to election might stand, not of works, but of Him that calleth, it was said unto her, The elder shall serve the younger."⁸⁸ And in reference to this matter he quotes another prophetic testimony: "Jacob have I loved, but Esau have I hated."⁸⁹ But perceiving how what he had said might affect those who could not penetrate by their understanding the depth of this grace: "What shall we say then?" he says: "Is there unrighteousness with God? God forbid."⁴⁰ For it seems unjust that, in the absence of any merit or de-

⁸⁶ Ps. cxv, 3.

⁸⁷ Rom. ix, 18.

⁸⁸ Rom. ix, 12.

⁸⁹ Rom. ix, 13; Mal. i, 2, 3.

⁴⁰ Rom. ix, 14.

merit, from good or evil works, God should love the one and hate the other. Now, if the apostle had wished us to understand that there were future good works of the one, and evil works of the other, which of course God foreknew, he would never have said, "not of works," but, "of future works," and in that way would have solved the difficulty, or rather there would then have been no difficulty to solve. As it is, however, after answering, "God forbid"; that is, God forbid that there should be unrighteousness with God; he goes on to prove that there is no unrighteousness in God's doing this, and says: "For He saith to Moses, I will have mercy on whom I will have mercy, and I will have compassion on whom I will have compassion."⁴¹ Now, who but a fool would think that God was unrighteous, either in inflicting penal justice on those who had earned it, or in extending mercy to the unworthy? Then he draws his conclusion: "So then it is not of him that willeth, nor of him that runneth, but of God that showeth mercy."⁴² Thus both the twins were born children of wrath, not on account of any works of their own, but because they were bound in the fetters of that original condemnation which came through Adam. But He who said, "I will have mercy on whom I will have mercy," loved Jacob of His undeserved grace, and hated Esau of His deserved judgment. And as this judgment was due to both, the former learnt from the case of the latter that the fact of the same punishment not falling upon himself gave him no room to glory in any merit of his own, but only in the riches of the divine grace; because "it is not of him that willeth, nor of him that runneth, but of God that showeth mercy." And indeed the whole face, and, if I may use the expression, every lineament of the countenance of Scripture conveys by a very profound analogy this wholesome warning to every one who looks carefully into it, that he who glories should glory in the Lord.⁴³

CHAPTER XCIX: AS GOD'S MERCY IS FREE, SO HIS JUDGMENTS ARE JUST,
AND CANNOT BE GAINSAID

Now after commending the mercy of God, saying, "So it is not of him that willeth, nor of him that runneth, but of God that showeth mercy," that he might commend His justice also (for the man who does not obtain mercy finds, not iniquity, but justice, there being no iniquity with God), he immediately adds: "For the scripture saith unto Pharaoh, Even for this same purpose have I raised thee up, that I might show my power in thee, and that my name might be declared throughout all the earth."⁴⁴ And then he draws a conclusion that applies to both, that is, both to His mercy and His justice: "Therefore hath He mercy on whom He will have mercy, and whom He will He

⁴¹ Rom. ix, 15; Ex. xxxiii, 19.

⁴³ Cf. I Cor. i, 31.

⁴² Rom. ix, 16.

⁴⁴ Rom. ix, 17; Ex. ix, 16.

hardeneth." ⁴⁵ "He hath mercy" of His great goodness, "He hardeneth" without any injustice; so that neither can he that is pardoned glory in any merit of his own, nor he that is condemned complain of anything but his own demerit. For it is grace alone that separates the redeemed from the lost, all having been involved in one common perdition through their common origin. Now if any one, on hearing this, should say, "Why doth He yet find fault? for who hath resisted His will?" ⁴⁶ as if a man ought not to be blamed for being bad, because God hath mercy on whom He will have mercy, and whom He will He Hardeneth, God forbid that we should be ashamed to answer as we see the apostle answered: "Nay, but, O man, who art thou that repliest against God? Shall the thing formed say to Him that formed it, Why hast Thou made me thus? Hath not the potter power over the clay, of the same lump to make *one vessel unto honor, and another unto dishonor?*" ⁴⁷ Now some foolish people think that in this place the apostle had no answer to give; and for want of a reason to render, rebuked the presumption of his interrogator. But there is great weight in this saying: "Nay, but, O man, who art thou?" and in such a matter as this it suggests to a man in a single word the limits of his capacity, and at the same time does in reality convey an important reason. For if a man does not understand these matters, who is he that he should reply against God? And if he does understand them, he finds no further room for reply. For then he perceives that the whole human race was condemned in its rebellious head by a divine judgment so just, that if not a single member of the race had been redeemed, no one could justly have questioned the justice of God; and that it was right that those who are redeemed should be redeemed in such a way as to show, by the greater number who are unredeemed and left in their just condemnation, what the whole race deserved, and whither the deserved judgment of God would lead even the redeemed, did not His undeserved mercy interpose, so that every mouth might be stopped of those who wish to glory in their own merits, and that he that glorieth might glory in the lord." ⁴⁸

CHAPTER CXVII: LOVE, WHICH IS GREATER THAN FAITH AND HOPE, IS SHED
ABROAD IN OUR HEARTS BY THE HOLY GHOST

And now as to *love*, which the apostle declares to be greater than the other two graces, that is, than faith and hope,⁴⁹ the greater the measure in which it dwells in a man, the better is the man in whom it dwells. For when there is a question as to whether a man is good, one does not ask what he believes, or what he hopes, but what he loves. For the man who loves aright no doubt believes and hopes aright; whereas the man who has not love believes in vain,

⁴⁵ Rom. ix, 18.

⁴⁶ Rom. iii, 19; I Cor. i, 31.

⁴⁷ Rom. ix, 19.

⁴⁸ Rom. ix, 20, 21.

⁴⁹ I Cor. xiii, 13.

even though his beliefs are true; and hopes in vain, even though the objects of his hope are a real part of true happiness; unless, indeed, he believes and hopes for this, that he may obtain by prayer the blessing of love. For, although it is not possible to hope without love, it may yet happen that a man does not love that which is necessary to the attainment of his hope; as, for example, if he hopes for eternal life (and who is there that does not desire this?) and yet does not love righteousness, without which no one can attain to eternal life. Now this is the true faith of Christ which the apostle speaks of, "which worketh by love";⁵⁰ and if there is anything that it does not yet embrace in its love, asks that it may receive, seeks that it may find, and knocks that it may be opened unto it.⁵¹ For faith obtains through prayer that which the law commands. For without the gift of God, that is, without the Holy Spirit, through whom love is shed abroad in our hearts,⁵² the law can command, but it cannot assist; and, moreover, it makes a man a transgressor, for he can no longer excuse himself on the plea of ignorance. Now carnal lust reigns where there is not the love of God. . . .

CHAPTER CXXI: LOVE IS THE END OF ALL THE COMMANDMENTS, AND GOD HIMSELF IS LOVE

All the commandments of God, then, are embraced in love, of which the apostle says: "Now the end of the commandment is charity, out of a pure heart, and of a good conscience, and of faith unfeigned."⁵³ Thus the end of every commandment is charity, that is, every commandment has love for its aim. But whatever is done either through fear of punishment or from some other carnal motive, and has not for its principle that love which the Spirit of God sheds abroad in the heart, is not done as it ought to be done, however it may appear to men. For this love embraces both the love of God and the love of our neighbor, and "on these two commandments hang all the law and the prophets."⁵⁴ We may add the Gospel and the apostles. For it is from these that we hear this voice: The end of the commandment is charity, and God is love.⁵⁵ Wherefore, all God's commandments, one of which is "Thou shalt not commit adultery,"⁵⁶ and all those precepts which are not commandments but special counsels, one of which is, "It is good for a man not to touch a woman,"⁵⁷ are rightly carried out only when the motive principle of action is the love of God, and the love of our neighbor in God. And this applies both to the present and the future life. We love God now by faith, then we shall love Him through sight. Now we love even our neighbor by faith; for we who are our-

⁵⁰ Gal. v, 6.

⁵¹ Matt. vii, 7.

⁵² Rom. v, 5.

⁵³ I Tim. i, 5.

⁵⁴ Matt. xxii, 40; cf. Rom. v, 5.

⁵⁵ I Tim. i, 5; I John iv, 16.

⁵⁶ Cf. Matt. v, 27. and Rom. xiii, 9.

⁵⁷ I Cor. vii, 1.

selves mortal know not the hearts of mortal men. But in the future life, the Lord "both will bring to light the hidden things of darkness, and will make manifest the counsels of the hearts, and then shall every man have praise of God"; ⁵⁸ for every man shall love and praise in his neighbor the virtue which, that it may not be hid, the Lord Himself shall bring to light. Moreover, lust diminishes as love grows, till the latter grows to such a height that it can grow no higher here. For "greater love hath no man than this, that a man lay down his life for his friends." ⁵⁹ Who then can tell how great love shall be in the future world, when there shall be no lust for it to restrain and conquer? For that will be the perfection of health when there shall be no struggle with death.

THE CITY OF GOD

[Book I]

PREFACE

THE GLORIOUS CITY OF GOD is my theme in this work. . . . I have undertaken its defence against those who prefer their own gods to the Founder of this city, —a city surpassingly glorious, whether we view it as it still lives by faith in this fleeting course of time, and sojourns as a stranger in the midst of the ungodly, or as it shall dwell in the fixed stability of its eternal seat, which it now with patience waits for, expecting until "righteousness shall return unto judgment," and it obtain, by virtue of its excellence, final victory and perfect peace. A great work this, and an arduous; but God is my helper. For I am aware what ability is requisite to persuade the proud how great is the virtue of humility, which raises us, not by a quite human arrogance, but by a divine grace, above all earthly dignities that totter on this shifting scene. For the King and Founder of this city of which we speak, has in Scripture uttered to His people a dictum of the divine law in these words: "God resisteth the proud, but giveth grace unto the humble." But this, which is God's prerogative, the inflated ambition of proud spirit also affects, and dearly loves that this be numbered among its attributes, to

"Show pity to the humbled soul,
And crush the sons of pride."

And therefore, as the plan of this work we have undertaken requires, and as occasion offers, we must speak also of the earthly city, which, though it be mistress of the nations, is itself ruled by its lust of rule.

⁵⁸ I Cor. iv, 5.

⁵⁹ John xv, 13.

CHAPTER I

For to this earthly city belong the enemies against whom I have to defend the city of God. Many of them, indeed, being reclaimed from their ungodly error, have become sufficiently creditable citizens of this city; but many are so inflamed with hatred against it, and are so ungrateful to its Redeemer for His signal benefits, as to forget that they would now be unable to utter a single word to its prejudice, had they not found in its sacred places, as they fled from the enemy's steel, that life in which they now boast themselves. Are not those very Romans, who were spared by the barbarians through their respect for Christ, become enemies to the name of Christ? The reliquaries of the martyrs and the churches of the apostles bear witness to this; for in the sack of the city they were open sanctuary for all who fled to them, whether Christian or Pagan. To their very threshold the blood-thirsty enemy raged; there his murderous fury owned a limit. Thither did such of the enemy as had any pity convey those to whom they had given quarter, lest any less mercifully disposed might fall upon them. And, indeed, when even those murderers who everywhere else showed themselves pitiless came to those spots where that was forbidden which the license of war permitted in every other place, their furious rage for slaughter was bridled, and their eagerness to take prisoners was quenched. Thus escaped multitudes who now reproach the Christian religion, and impute to Christ the ills that have befallen their city; but the preservation of their own life—a boon which they owe to the respect entertained for Christ by the barbarians—they attribute not to our Christ, but to their own good luck. They ought rather, had they any right perceptions, to attribute the severities and hardships inflicted by their enemies, to that divine providence which is wont to reform the depraved manners of men by chastisement, and which exercises with similar afflictions the righteous and praiseworthy,—either translating them, when they have passed through the trial, to a better world, or detaining them still on earth for ulterior purposes. And they ought to attribute it to the spirit of these Christian times, that, contrary to the custom of war, these blood-thirsty barbarians spared them, and spared them for Christ's sake, whether this mercy was actually shown in promiscuous places, or in those places specially dedicated to Christ's name, and of which the very largest were selected as sanctuaries, that full scope might thus be given to the expansive compassion which desired that a large multitude might find shelter there. Therefore ought they to give God thanks, and with sincere confession flee for refuge to His name, that so they may escape the punishment of eternal fire—they who with lying lips took upon them this name, that they might escape the punishment of present destruction. For of those whom you

see insolently and shamelessly insulting the servants of Christ, there are numbers who would not have escaped that destruction and slaughter had they not pretended that they themselves were Christ's servants. Yet now, in ungrateful pride and most impious madness, and at the risk of being punished in everlasting darkness, they perversely oppose that name under which they fraudulently protected themselves for the sake of enjoying the light of this brief life. . . .

[Book XI]

CHAPTER II

It is a great and very rare thing for a man, after he has contemplated the whole creation, corporeal and incorporeal, and has discerned its mutability, to pass beyond it, and, by the continued soaring of his mind, to attain to the unchangeable substance of God, and, in that height of contemplation, to learn from God Himself that none but He has made all that is not of the divine essence. For God speaks with a man not by means of some audible creature dinning in his ears, so that atmospheric vibrations connect Him that makes with him that hears the sound, nor even by means of a spiritual being with the semblance of a body, such as we see in dreams or similar states; for even in this case He speaks as if to the ears of the body, because it is by means of the semblance of a body He speaks, and with the appearance of a real interval of space,—for visions are exact representations of bodily objects. Not by these, then, does God speak, but by the truth itself, if any one is prepared to hear with the mind rather than with the body. For He speaks to that part of man which is better than all else that is in him, and than which God Himself alone is better. For since man is most properly understood (or, if that cannot be, then, at least, *believed*) to be made in God's image, no doubt it is that part of him by which he rises above those lower parts he has in common with the beasts, which brings him nearer to the Supreme. But since the mind itself, though naturally capable of reason and intelligence, is disabled by besotting and inveterate vices not merely from delighting and abiding in, but even from tolerating His unchangeable light, until it has been gradually healed, and renewed, and made capable of such felicity, it had, in the first place, to be impregnated with faith, and so purified. And that in this faith it might advance the more confidently towards the truth, the truth itself, God, God's Son, assuming humanity without destroying His divinity, established and founded this faith, that there might be a way for man to man's God through a God-man. For this is the Mediator between God and men, the man Christ Jesus. For it is as man that He is the Mediator and the Way. Since, if the way lieth

between him who goes, and the place whither he goes, there is hope of his reaching it; but if there be no way, or if he know not where it is, what boots it to know whither he should go? Now the only way that is infallibly secured against all mistakes, is when the very same person is at once God and man, God our end, man our way. . . .

[Book XV]

CHAPTER I

. . . [The human] race we have distributed into two parts, the one consisting of those who live according to man, the other of those who live according to God. And these we also mystically call the two cities, or the two communities of men, of which the one is predestined to reign eternally with God, and the other to suffer eternal punishment with the devil. This, however, is their end, and of it we are to speak afterwards. At present, as we have said enough about their origin, whether among the angels, whose numbers we know not, or in the two first human beings, it seems suitable to attempt an account of their career, from the time when our two first parents began to propagate the race until all human generation shall cease. For this whole time or world age, in which the dying give place and those who are born succeed, is the career of these two cities concerning which we treat.

Of these two first parents of the human race, then, Cain was the first-born, and he belonged to the city of men; after him was born Abel, who belonged to the city of God. For as in the individual the truth of the apostle's statement is discerned, "that is not first which is spiritual, but that which is natural, and afterward that which is spiritual," whence it comes to pass that each man, being derived from a condemned stock, is first of all born of Adam evil and carnal, and becomes good and spiritual only afterwards, when he is grafted into Christ by regeneration: so was it in the human race as a whole. When these two cities began to run their course by a series of deaths and births, the citizen of this world was the first-born, and after him the stranger in this world, the citizen of the city of God, predestinated by grace, elected by grace, by grace a stranger below, and by grace a citizen above. By grace,—for so far as regards himself he is sprung from the same mass, all of which is condemned in its origin; but God, like a potter (for this comparison is introduced by the apostle judiciously, and not without thought), of the same lump made one vessel to honor, another to dishonor. But first the vessel to dishonor was made, and after it another to honor. For in each individual, as I have already said, there is first of all that which is reprobate, that from which we must begin, but in which we need not necessarily remain; afterwards is that which is well-

approved, to which we may by advancing attain, and in which, when we have reached it, we may abide. Not, indeed, that every wicked man shall be good, but that no one will be good who was not first of all wicked; but the sooner any one becomes a good man, the more speedily does he receive this title, and abolish the old name in the new. Accordingly, it is recorded of Cain that he built a city, but Abel, being a sojourner, built none. For the city of the saints is above, although here below it begets citizens, in whom it sojourns till the time of its reign arrives, when it shall gather together all in the day of the resurrection; and then shall the promised kingdom be given to them, in which they shall reign with their Prince, the King of the ages, time without end.

CHAPTER II

There was indeed on earth, so long as it was needed, a symbol and foreshadowing image of this city, which served the purpose of reminding men that such a city was to be, rather than of making it present; and this image was itself called the holy city, as a symbol of the future city, though not itself the reality. Of this city which served as an image, and of that free city it typified, Paul writes to the Galatians in these terms: "Tell me, ye that desire to be under the law, do ye not hear the law? For it is written, that Abraham had two sons, the one by a bond maid, the other by a free woman. But he who was of the bond woman was born after the flesh, but he of the free woman was by promise. Which things are an allegory: for these are the two covenants; the one from the Mount Sinai, which gendereth to bondage, which is Agar. For this Agar is Mount Sinai in Arabia, and answereth to Jerusalem which now is, and is in bondage with her children. But Jerusalem which is above is free, which is the mother of us all. For it is written, Rejoice, thou barren that bearest not; break forth and cry, thou that travailest not for the desolate hath many more children than she which hath an husband. Now we, brethren, as Isaac was, are the children of promise. But as then he that was born after the flesh persecuted him that was born after the Spirit, even so it is now. Nevertheless, what saith the Scripture? Cast out the bond woman and her son: for the son of the bond woman shall not be heir with the son of the free woman. And we, brethren, are not children of the bond woman, but of the free, in the liberty wherewith Christ hath made us free." This interpretation of the passage, handed down to us with apostolic authority, shows how we ought to understand the Scriptures of the two covenants—the old and the new. One portion of the earthly city became an image of the heavenly city, not having a significance of its own, but signifying another city, and therefore serving, or "being in bondage." For it was founded not for its own sake, but to prefigure another city; and this shadow of a city was also itself foreshadowed

by another preceding figure. For Sarah's handmaid Agar, and her son, were an image of this image. And as the shadows were to pass away when the full light came, Sarah, the free woman, who prefigured the free city (which again was also prefigured in another way by that shadow of a city Jerusalem), therefore said, "Cast out the bond woman and her son; for the son of the bond woman shall not be heir with my son Isaac," or, as the apostle says, "with the son of the free woman." In the earthly city, then, we find two things—its own obvious presence, and its symbolic presentation of the heavenly city. Now citizens are begotten to the earthly city by nature vitiated by sin, but to the heavenly city by grace freeing nature from sin; whence the former are called "vessels of wrath," the latter "vessels of mercy." And this was typified in the two sons of Abraham,—Ishmael, the son of Agar the handmaid, being born according to the flesh, while Isaac was born of the free woman Sarah, according to the promise. Both, indeed, were of Abraham's seed; but the one was begotten by natural law, the other was given by gracious promise. In the one birth, human action is revealed; in the other, a divine kindness comes to light. . . .

CHAPTER IV

But the earthly city, which shall not be everlasting (for it will no longer be a city when it has been committed to the extreme penalty), has its good in this world, and rejoices in it with such joy as such things can afford. But as this is not a good which can discharge its devotees of all distresses, this city is often divided against itself by litigations, wars, quarrels, and such victories as are either life-destroying or short-lived. For each part of it that arms against another part of it seeks to triumph over the nations through itself in bondage to vice. If, when it has conquered, it is inflated with pride, its victory is life-destroying; but if it turns its thoughts upon the common casualties of our mortal condition, and is rather anxious concerning the disasters that may befall it than elated with the successes already achieved, this victory, though of a higher kind, is still only short-lived; for it cannot abidingly rule over those whom it has victoriously subjugated. But the things which this city desires cannot justly be said to be evil, for it is itself, in its own kind, better than all other human good. For it desires earthly peace for the sake of enjoying earthly goods, and it makes war in order to attain to this peace; since, if it has conquered, and there remains no one to resist it, it enjoys a peace which it had not while there were opposing parties who contested for the enjoyment of those things which were too small to satisfy both. This peace is purchased by toilsome wars; it is obtained by what they style a glorious victory. Now, when victory remains with the party which had the juster cause, who hesitates to congratulate the victor, and style it a desirable peace? These things, then, are

good things, and without doubt the gifts of God. But if they neglect the better things of the heavenly city, which are secured by eternal victory and peace never-ending, and so inordinately covet these present good things that they believe them to be the only desirable things, or love them better than those things which are believed to be better,—if this be so, then it is necessary that misery follow and ever increase. . . .

[*Book XIX*]

CHAPTER XVII

. . . The families which do not live by faith seek their peace in the earthly advantages of this life; while the families which live by faith look for those eternal blessings which are promised, and use as pilgrims such advantages of time and of earth as do not fascinate and divert them from God, but rather aid them to endure with greater ease, and to keep down the number of those burdens of the corruptible body which weigh upon the soul. Thus the things necessary for this mortal life are used by both kinds of men and families alike, but each has its own peculiar and widely different aim in using them. The earthly city, which does not live by faith, seeks an earthly peace, and the end it proposes, in the well-ordered concord of civic obedience and rule, is the combination of men's wills to attain the things which are helpful to this life. The heavenly city, or rather the part of it which sojourns on earth and lives by faith, makes use of this peace only because it must, until this mortal condition which necessitates it shall pass away. Consequently, so long as it lives like a captive and a stranger in the earthly city, though it has already received the promise of redemption, and the gift of the Spirit as the earnest of it, it makes no scruple to obey the laws of the earthly city, whereby the things necessary for the maintenance of this mortal life are administered; and thus, as this life is common to both cities, so there is a harmony between them in regard to what belongs to it. But, as the earthly city has had some philosophers whose doctrine is condemned by the divine teaching, and who, being deceived either by their own conjectures or by demons, supposed that many gods must be invited to take an interest in human affairs, and assigned to each a separate function and a separate department,—to one the body, to another the soul; and in the body itself, to one the head, to another the neck, and each of the other members to one of the gods; and in like manner, in the soul, to one god the natural capacity was assigned, to another education, to another anger, to another lust; and so the various affairs of life were assigned,—cattle to one, corn to another, wine to another, oil to another, the woods to another, money to another, navigation to another, wars and victories to another, marriages to

another, births and fecundity to another, and other things to other gods: and as the celestial city, on the other hand, knew that one God only was to be worshiped, and that to Him alone was due that service which the Greeks called *λατρεία*,⁶⁰ and which can be given only to a god, it has come to pass that the two cities could not have common laws of religion, and that the heavenly city has been compelled in this matter to dissent, and to become obnoxious to those who think differently, and to stand the brunt of their anger and hatred and persecutions, except in so far as the minds of their enemies have been alarmed by the multitude of the Christians and quelled by the manifest protection of God accorded to them. This heavenly city, then, while it sojourns on earth, calls citizens out of all nations, and gathers together a society of pilgrims of all languages, not scrupling about diversities in the manners, laws, and institutions whereby earthly peace is secured and maintained, but recognizing that, however various these are, they all tend to one and the same end of earthly peace. It therefore is so far from rescinding and abolishing these diversities, that it even preserves and adopts them, so long only as no hindrance to the worship of the one supreme and true God is thus introduced. Even the heavenly city, therefore, while in its state of pilgrimage, avails itself of the peace of earth, and, so far as it can without injuring faith and godliness, desires and maintains a common agreement among men regarding the acquisition of the necessities of life, and makes this earthly peace bear upon the peace of heaven; for this alone can be truly called and esteemed the peace of the reasonable creatures, consisting as it does in the perfectly ordered and harmonious enjoyment of God and of one another in God. When we shall have reached that peace, this mortal life shall give place to one that is eternal, and our body shall be no more this animal body which by its corruption weighs down the soul, but a spiritual body feeling no want, and in all its members subjected to the will. In its pilgrim state the heavenly city possesses this peace by faith; and by this faith it lives righteously when it refers to the attainment of that peace every good action towards God and man; for the life of the city is a social life. . . .

[Book XXI]

CHAPTER XVI

. . . Few indeed are they who are so happy as to have passed their youth without committing any damnable sins, either by dissolute or violent conduct, or by following some godless and unlawful opinions, but have subdued by their greatness of soul everything in them which could make them the slaves of carnal pleasures. The greater number having first become transgressors of the

⁶⁰ [Religious services or devotions.]

law that they have received, and having allowed vice to have the ascendancy in them, then flee to grace for help, and so, by a penitence more bitter, and a struggle more violent than it would otherwise have been, they subdue the soul to God, and thus give it its lawful authority over the flesh, and become victors. Whoever, therefore, desires to escape eternal punishment, let him not only be baptized, but also justified in Christ, and so let him in truth pass from the devil to Christ. And let him not fancy that there are any purgatorial pains except before that final and dreadful judgment. We must not, however, deny that even the eternal fire will be proportioned to the deserts of the wicked, so that to some it will be more, and to others less painful, whether this result be accomplished by a variation in the temperature of the fire itself, graduated according to every one's merit, or whether it be that the heat remains the same, but that all do not feel it with equal intensity of torment.

CHAPTER XVII

I must now, I see, enter the lists of amicable controversy with those tender-hearted Christians who decline to believe that any, or that all of those whom the infallibly just Judge may pronounce worthy of the punishment of hell, shall suffer eternally, and who suppose that they shall be delivered after a fixed term of punishment, longer or shorter according to the amount of each man's sin. In respect of this matter, Origen was even more indulgent; for he believed that even the devil himself and his angels, after suffering those more severe and prolonged pains which their sins deserved, should be delivered from their torments, and associated with the holy angels. But the Church, not without reason condemned him for this and other errors, especially for his theory of the ceaseless alternation of happiness and misery, and the interminable transitions from the one state to the other at fixed periods of ages; for in this theory he lost even the credit of being merciful, by allotting to the saints real miseries for the expiation of their sins, and false happiness, which brought them no true and secure joy, that is, no fearless assurance of eternal blessedness. Very different, however, is the error we speak of, which is dictated by the tenderness of these Christians who suppose that the sufferings of those who are condemned in the judgment will be temporary, while the blessedness of all who are sooner or later set free will be eternal. Which opinion, if it is good and true because it is merciful, will be so much the better and truer in proportion as it becomes more merciful. Let, then, this fountain of mercy be extended, and flow forth even to the lost angels, and let them also be set free, at least after as many and long ages as seem fit! Why does this stream of mercy flow to all the human race, and dry up as soon as it reaches the angelic? And yet they dare not extend their pity further, and propose the deliverance of the

devil himself. Or if any one is bold enough to do so, he does indeed put to shame their charity, but is himself convicted of error that is more unsightly, and a wresting of God's truth that is more perverse, in proportion as his clemency of sentiment seems to be greater. . . .

[*Book XXII*]

CHAPTER XXIX

. . . It may very well be, and it is thoroughly credible, that we shall in the future world see the material forms of the new heavens and the new earth in such a way that we shall most distinctly recognize God everywhere present and governing all things, material as well as spiritual, and shall see Him, not as now we understand the invisible things of God, by the things which are made, and see Him darkly, as in a mirror, and in part, and rather by faith than by bodily vision of material appearances, but by means of the bodies we shall wear and which we shall see wherever we turn our eyes. As we do not believe, but see that the living men around us who are exercising vital functions are alive, though we cannot see their life without their bodies, but see it most distinctly by means of their bodies, so, wherever we shall look with those spiritual eyes of our future bodies, we shall then, too, by means of bodily substances behold God, though a spirit, ruling all things. Either, therefore, the eyes shall possess some quality similar to that of the mind, by which they may be able to discern spiritual things, and among these God,—a supposition for which it is difficult or even impossible to find any support in Scripture,—or, which is more easy to comprehend, God will be so known by us, and shall be so much before us, that we shall see Him by the spirit in ourselves, in one another, in Himself, in the new heavens and the new earth, in every created thing which shall then exist; and also by the body we shall see Him in every body which the keen vision of the eye of the spiritual body shall reach. Our thoughts also shall be visible to all, for then shall be fulfilled the words of the apostle, "Judge nothing before the time, until the Lord come, who both will bring to light the hidden things of darkness, and will make manifest the thoughts of the heart, and then shall every one have praise of God."

CHAPTER XXX

How great shall be that felicity, which shall be tainted with no evil, which shall lack no good, and which shall afford leisure for the praises of God, who shall be all in all! For I know not what other employment there can be where no lassitude shall slacken activity, nor any want stimulate to labor. I am admonished also by the sacred song, in which I read or hear the words, "Blessed

are they that dwell in Thy house, O Lord; they will be still praising Thee." All the members and organs of the incorruptible body, which now we see to be suited to various necessary uses, shall contribute to the praises of God; for in that life necessity shall have no place, but full, certain, secure, everlasting felicity. For all those parts of the bodily harmony, which are distributed through the whole body, within and without, and of which I have just been saying that they at present elude our observation, shall then be discerned; and, along with the other great and marvellous discoveries which shall then kindle rational minds in praise of the great Artificer, there shall be the enjoyment of a beauty which appeals to the reason. What power of movement such bodies shall possess, I have not the audacity rashly to define, as I have not the ability to conceive. Nevertheless I will say that in any case, both in motion and at rest, they shall be, as in their appearance, seemly; for into that state nothing which is unseemly shall be admitted. One thing is certain, the body shall forthwith be wherever the spirit wills, and the spirit shall will nothing which is unbecoming either to the spirit or to the body. True honor shall be there, for it shall be denied to none who is worthy, nor yielded to any unworthy; neither shall any unworthy person so much as sue for it, for none but the worthy shall be there. True peace shall be there, where no one shall suffer opposition either from himself or any other. God Himself, who is the Author of virtue, shall there be its reward; for, as there is nothing greater or better, He has promised Himself. What else was meant by His word through the prophet, "I will be your God, and ye shall be my people," then, I shall be their satisfaction, I shall be all that men honorably desire,—life, and health, and nourishment, and plenty, and glory, and honor, and peace, and all good things? This, too, is the right interpretation of the saying of the apostle, "That God may be all in all." He shall be the end of our desires who shall be seen without end, loved without cloy, praised without weariness. This outgoing of affection, this employment, shall certainly be, like eternal life itself, common to all.

But who can conceive, not to say describe, what degrees of honor and glory shall be awarded to the various degrees of merit? Yet it cannot be doubted that there shall be degrees. And in that blessed city there shall be this great blessing, that no inferior shall envy any superior, as now the archangels are not envied by the angels, because no one will wish to be what he has not received, though bound in strictest concord with him who has received; as in the body the finger does not seek to be the eye, though both members are harmoniously included in the complete structure of the body. And thus, along with his gift, greater or less, each shall receive this further gift of contentment to desire no more than he has. . . .

There shall be the great Sabbath which has no evening, which God cele-

brated among His first works, as it is written, "And God rested on the seventh day from all His works which He had made. And God blessed the seventh day, and sanctified it; because that in it He had rested from all His work which God began to make." For we shall ourselves be the seventh day, when we shall be filled and replenished with God's blessing and sanctification. There shall we be still, and know that He is God; that He is that which we ourselves aspired to be when we fell away from Him, and listened to the voice of the seducer, "Ye shall be as gods," and so abandoned God, who would have made us as gods, not by deserting Him, but by participating in Him. For without Him what have we accomplished, save to perish in His anger? But when we are restored by Him, and perfected with greater grace, we shall have eternal leisure to see that He is God, for we shall be full of Him when He shall be all in all. For even our good works, when they are understood to be rather His than ours, are imputed to us that we may enjoy this Sabbath rest. For if we attribute them to ourselves, they shall be servile; for it is said of the Sabbath, "Ye shall do no servile work in it." Wherefore also it is said by Ezekiel the prophet, "And I gave them my Sabbaths to be a sign between me and them, that they might know that I am the Lord who sanctify them." This knowledge shall be perfected when we shall be perfectly at rest, and shall perfectly know that He is God.

This Sabbath shall appear still more clearly if we count the ages as days, in accordance with the periods of time defined in Scripture, for that period will be found to be the seventh. The first age, as the first day, extends from Adam to the deluge; the second from the deluge to Abraham, equalling the first, not in length of time, but in the number of generations, there being ten in each. From Abraham to the advent of Christ there are, as the evangelist Matthew calculates, three periods, in each of which are fourteen generations,—one period from Abraham to David, a second from David to the captivity, a third from the captivity to the birth of Christ in the flesh. There are thus five ages in all. The sixth is now passing, and cannot be measured by any number of generations, as it has been said, "It is not for you to know the times, which the Father hath put in His own power." After this period God shall rest as on the seventh day, when He shall give us (who shall be the seventh day) rest in Himself. But there is not now space to treat of these ages; suffice it to say that the seventh shall be our Sabbath, which shall be brought to a close, not by an evening, but by the Lord's day, as an eighth and eternal day, consecrated by the resurrection of Christ, and prefiguring the eternal repose not only of the spirit, but also of the body. There we shall rest and see, see and love, love and praise. This is what shall be in the end without end. For what other end do we propose to ourselves than to attain to the kingdom of which there is no end? . . .

SAINT BENEDICT

AN ESSENTIAL SOCIAL FUNCTION during the Middle Ages was that of religion and its undistracted cultivation was the occupation of the societies of monks (*religiosi*). The clergy were divided between the *secular*—those who administered the parishes and the more direct affairs of the Church—and the *regular*—those who lived under the *regula* of a monastery. The monastic life was necessarily available to only a few, but it was nevertheless looked upon as the ideal existence by the philosophers of the Middle Ages. Monasticism is a socialized form of asceticism; it became necessary in Christianity (and Buddhism) in order to cure the chaos, fanaticism, and folly of large numbers of would-be solitary recluses, who impinged on each other's solitude. The monastic institutions aim to regularize and discipline an exclusive dedication to God. They were established in the Near East during the fourth century and spread rapidly to the West.

In the sixth century, St. Benedict of Nursia (c.480–c.553) developed the system of government under which the famous monastery of Monte Cassino operated and which was adopted by most Western monasteries through the medieval period. It is probable that the Rule of St. Benedict was formulated at the behest of high authorities in the Church, perhaps Pope Hormisdas, in the effort to reform monastic practice. Originally regarded as having a relatively limited sphere of application, the Rule constituted by the time of Charlemagne the well-established practice of Western monks, and later became the basis of new orders like those at Cluny and Cîteaux.

The Benedictine Rule enjoined monks to poverty, chastity, obedience, piety, and labor. All of these were instruments and tokens in the monk's effacement of himself for the sake of serving mankind in God. The care with which the monk's day was planned to the last detail was essentially an instrument meant to stabilize his career as an exemplar of the City of God. Seven hours of manual labor and two hours of study were prescribed, and it was under such a regimen that the monasteries functioned as intellectual centers of early medieval society and as bearers of the Christian duty of service to God. Essentially, the monk's place apart was ordained so that in certain select communities he might dramatize and make vivid the ideal of sainthood, in the light of which men were to live their lives. The saintly conception of virtue, which the Rule of Benedict was intended to promote, seemed a possible pattern of life to thousands who for one reason or another were eager to flee the world. On the other hand, the abuses of such virtue which corrupted many monasteries led Rabelais and other Renaissance satirists to believe that such virtue really is impossible.

The following translation by E. F. Henderson appears in his *Select Historical Documents of the Middle Ages* (London, George Bell and Sons, 1896). The Rule was originally written in Low Latin, the vernacular of the time; whether it was drawn up gradually in response to the needs of the monks or written at one time cannot be determined, but 530 is a likely date of its composition.



THE RULE OF ST. BENEDICT

Prologue. . . . We are about to found, therefore, a school for the Lord's service; in the organization of which we trust that we shall ordain nothing severe and nothing burdensome. But even if, the demands of justice dictating it, something a little irksome shall be the result, for the purpose of amending vices or preserving charity—thou shalt not therefore, struck by fear, flee the way of salvation, which can not be entered upon except through a narrow entrance. But as one's way of life and one's faith progresses, the heart becomes broadened, and, with the unutterable sweetness of love, the way of the mandates of the Lord is traversed. Thus, never departing from His guidance, continuing in the monastery in His teaching until death, through patience we are made partakers in Christ's passion, in order that we may merit to be companions in His kingdom.

Concerning the kinds of monks and their manner of living. It is manifest that there are four kinds of monks. The cenobites are the first kind; that is, those living in a monastery, serving under a rule or an abbot. Then the second kind is that of the anchorites; that is, the hermits—those who, not by the new fervour of a conversion but by the long probation of life in a monastery, have learned to fight against the devil, having already been taught by the solace of many. They, having been well prepared in the army of brothers for the solitary fight of the hermit, being secure now without the consolation of another, are able, God helping them, to fight with their own hand or arm against the vices of the flesh or of their thoughts.

But a third very bad kind of monks are the sarabites, approved by no rule, experience being their teacher, as with the gold which is tried in the furnace. But, softened after the manner of lead, keeping faith with the world by their works, they are known through their tonsure to lie to God. These being shut up by twos or threes, or, indeed, alone, without a shepherd, not in the Lord's but in their own sheep-folds—their law is the satisfaction of their desires. For whatever they think good or choice, this they call holy; and what they do not wish, this they consider unlawful. But the fourth kind of monks is the kind which is called gyrary. During their whole life they are guests, for three or four days at a time, in the cells of the different monasteries, throughout the various provinces; always wandering and never stationary, given over to the service of their own pleasures and the joys of the palate, and in every way worse than the sarabites. Concerning the most wretched way

of living of all such monks it is better to be silent than to speak. These things therefore being omitted, let us proceed, with the aid of God, to treat of the best kind, the cenobites.

What the Abbot should be like. An abbot who is worthy to preside over a monastery ought always to remember what he is called, and carry out with his deeds the name of a Superior. For he is believed to be Christ's representative, since he is called by His name, the apostle saying: "Ye have received the spirit of adoption of sons, whereby we call Abba, Father." And so the abbot should not—grant that he may not—teach, or decree, or order, any thing apart from the precept of the Lord; but his order or teaching should be sprinkled with the ferment of divine justice in the minds of his disciples. Let the abbot always be mindful that, at the tremendous judgment of God, both things will be weighed in the balance: his teaching and the obedience of his disciples. And let the abbot know that whatever the father of the family finds of less utility among the sheep is laid to the fault of the shepherd. Only in a case where the whole diligence of their pastor shall have been bestowed on an unruly and disobedient flock, and his whole care given to their morbid actions, shall that pastor, absolved in the judgment of the Lord, be free to say to the Lord with the prophet: "I have not hid Thy righteousness within my heart, I have declared Thy faithfulness and Thy salvation, but they despising have scorned me." And then at length let the punishment for the disobedient sheep under his care be death itself prevailing against them. Therefore, when anyone receives the name of abbot, he ought to rule over his disciples with a double teaching; that is, let him show forth all good and holy things by deeds more than by words. So that to ready disciples he may propound the mandates of God in words; but, to the hard-hearted and the more simple-minded, he may show forth the divine precepts by his deeds. But as to all the things that he has taught to his disciples to be wrong, he shall show by his deeds that they are not to be done; lest, preaching to others, he himself shall be found worthy of blame, and lest God may say at some time to him a sinner: "What hast thou to do to declare my statutes or that thou should'st take my covenant in thy mouth. Seeing that thou hatest instruction and casteth my words behind thee; and why beholdest thou the mote that is in thy brother's eye, but considerest not the beam that is in thine own eye?" He shall make no distinction of persons in the monastery. One shall not be more cherished than another, unless it be the one whom he finds excelling in good works or in obedience. A free-born man shall not be preferred to one coming from servitude, unless there be some other reasonable cause. But if, justice demanding that it should be thus, it seems good to the abbot, he shall do this no matter what the rank shall be. But otherwise they shall keep their own places; for whether

we be bond or free we are all one in Christ; and, under one God, we perform an equal service of subjection; for God is no respecter of persons. Only in this way is a distinction made by Him concerning us: if we are found humble and surpassing others in good works. Therefore let him (the abbot) have equal charity for all: let the same discipline be administered in all cases according to merit. In his teaching indeed the abbot ought always to observe that form laid down by the apostle when he says: "reprove, rebuke, exhort." That is, mixing seasons with seasons, blandishments with terrors, let him display the feeling of a severe yet devoted master. He should, namely, rebuke more severely the unruly and the turbulent. The obedient, moreover, and the gentle and the patient, he should exhort, that they may progress to higher things. But the negligent and scorners, we warn him to admonish and reprove. Nor let him conceal the sins of the erring; but, in order that he may prevail, let him pluck them out by the roots as soon as they begin to spring up; being mindful of the danger of Eli the priest of Shiloh. And the more honest and intelligent minds, indeed, let him rebuke with words, with a first or second admonition; but the wicked and the hard-hearted and the proud, or the disobedient, let him restrain at the very beginning of their sin by castigation of the body, as it were, with whips: knowing that it is written: "A fool is not bettered by words." And again: "Strike thy son with the rod and thou shalt deliver his soul from death." The abbot ought always to remember what he is, to remember what he is called, and to know that from him to whom more is committed, the more is demanded. And let him know what a difficult and arduous thing he has undertaken—to rule the soul and aid the morals of many. And in one case indeed with blandishments, in another with rebukes, in another with persuasion—according to the quality or intelligence of each one—he shall so conform and adapt himself to all, that not only shall he not suffer detriment to come to the flock committed to him, but shall rejoice in the increase of a good flock. Above all things, let him not, dissimulating or undervaluing the safety of the souls committed to him, give more heed to transitory and earthly and passing things; but let him always reflect that he has undertaken to rule souls for which he is to render account. And, lest perchance he enter into strife for a lesser matter, let him remember that it is written: "Seek ye first the kingdom of God and His righteousness; and all these things shall be added unto you." And again: "They that fear Him shall lack nothing." And let him know that he who undertakes to rule souls must prepare to render account. And, whatever number of brothers he knows that he has under his care, let him know for certain that at the day of judgment he shall render account to God for all their souls; his own soul without doubt being included. And thus, always fearing the future interrogation of the shepherd concerning the flocks

entrusted to him, while keeping free from foreign interests he is rendered careful for his own. And when, by his admonitions, he administers correction to others, he is himself cleansed from his vices.

About calling in the brethren to take council. As often as anything especial is to be done in the monastery, the abbot shall call together the whole congregation, and shall himself explain the question at issue. And, having heard the advice of the brethren, he shall think it over by himself, and shall do what he considers most advantageous. And for this reason, moreover, we have said that all ought to be called to take counsel: because often it is to a younger person that God reveals what is best. The brethren, moreover, with all subjection of humility, ought so to give their advice, that they do not presume boldly to defend what seems good to them; but it should rather depend on the judgment of the abbot; so that whatever he decided to be the more salutary, they should all agree to it. But even as it behooves the disciples to obey the master, so it is fitting that he should providently and justly arrange all matters. In all things, indeed, let all follow the Rule as their guide; and let no one rashly deviate from it. Let no one in the monastery follow the inclination of his own heart; and let no one boldly presume to dispute with his abbot, within or without the monastery. But, if he should so presume, let him be subject to the discipline of the Rule. The abbot, on the other hand, shall do all things fearing the Lord and observing the Rule; knowing that he, without a doubt, shall have to render account to God as to a most impartial judge, for all his decisions. But if any lesser matters for the good of the monastery are to be decided upon, he shall employ the counsel of the elder members alone, since it is written: "Do all things with counsel, and after it is done thou wilt not repent." . . .

Concerning obedience. The first grade of humility is obedience without delay. This becomes those who, on account of the holy service which they have professed, or on account of the fear of hell or the glory of eternal life consider nothing dearer to them than Christ: so that, so soon as anything is commanded by their superior, they may not know how to suffer delay in doing it, even as if it were a divine command. Concerning whom the Lord said: "As soon as he heard of me he obeyed me." And again he said to the learned men: "He who heareth you heareth me." Therefore let all such, straightway leaving their own affairs and giving up their own will, with unoccupied hands and leaving incomplete what they were doing—the foot of obedience being foremost—follow with their deeds the voice of him who orders. And, as it were, in the same moment, let the aforesaid command of the master and the perfected work of the disciple—both together in the swiftness of the fear of God—be called into being by those who are possessed with a desire of advancing to eternal life. And therefore let them seize the narrow way of which the Lord

says: "Narrow is the way which leadeth unto life." Thus, not living according to their own judgment nor obeying their own desires and pleasures, but walking under another's judgment and command, passing their time in monasteries, let them desire an abbot to rule over them. Without doubt all such live up to that precept of the Lord in which he says: "I am not come to do My own will but the will of Him that sent Me." . . .

Concerning humility. . . . The sixth grade of humility is, that a monk be contented with all lowliness or extremity, and consider himself, with regard to everything which is enjoined on him, as a poor and unworthy workman; saying to himself with the prophet: "I was reduced to nothing and was ignorant; I was made as the cattle before thee, and I am always with thee." The seventh grade of humility is, not only that he, with his tongue, pronounce himself viler and more worthless than all; but that he also believe it in the innermost workings of his heart; humbling himself. . . . The eighth degree of humility is that a monk do nothing except what the common rule of the monastery, or the example of his elders, urges him to do. The ninth degree of humility is that a monk restrain his tongue from speaking; and, keeping silence, do not speak until he is spoken to. The tenth grade of humility is that he be not ready, and easily inclined, to laugh. . . . The eleventh grade of humility is that a monk, when he speaks, speak slowly and without laughter, humbly with gravity, using few and reasonable words; and that he be not loud of voice. . . . The twelfth grade of humility is that a monk shall, not only with his heart but also with his body, always show humility to all who see him: that is, when at work, in the oratory, in the monastery, in the garden, on the road, in the fields. And everywhere, sitting or walking or standing, let him always be with head inclined, his looks fixed upon the ground; remembering every hour that he is guilty of his sins. Let him think that he is already being presented before the tremendous judgment of God, saying always to himself in his heart what that publican of the gospel, fixing his eyes on the earth, said: "Lord I am not worthy, I a sinner, so much as to lift up mine eyes unto Heaven." . . .

How the monks shall sleep. They shall sleep separately in separate beds. They shall receive positions for their beds, after the manner of their characters, according to the dispensation of their abbot. If it can be done, they shall all sleep in one place. If, however, their number do not permit it, they shall rest by tens or twenties, with elders who will concern themselves about them. A candle shall always be burning in that same cell until early in the morning. They shall sleep clothed, and girt with belts or with ropes; and they shall not have their knives at their sides while they sleep, lest perchance in a dream they should wound the sleepers. And let the monks be always on the alert; and, when the signal is given, rising without delay, let them hasten to mutually prepare them-

selves for the service of God—with all gravity and modesty, however. The younger brothers shall not have beds by themselves, but interspersed among those of the elder ones. And when they rise for the service of God, they shall exhort each other mutually with moderation, on account of the excuses that those who are sleepy are inclined to make. . . .

What care the abbot should exercise with regard to the excommunicated. With all solicitude the abbot shall exercise care with regard to delinquent brothers: "They that be whole need not a physician, but they that are sick." And therefore he ought to use every means, as a wise physician, to send in as it were secret consolers—that is, wise elder brothers who, as it were secretly, shall console the wavering brother and lead him to the atonement of humility. And they shall comfort him lest he be swallowed up by overmuch sorrow. On the contrary, as the same apostle says, charity shall be confirmed in him, and he shall be prayed for by all. For the abbot should greatly exert his solicitude, and take care with all sagacity and industry, lest he lose any of the sheep entrusted to him. For he should know that he has undertaken the care of weak souls, not the tyranny over sound ones. And he shall fear the threat of the prophet through whom the Lord says: "Ye did take that which ye saw to be strong, and that which was weak ye did cast out." And let him imitate the pious example of the good Shepherd, who, leaving the ninety and nine sheep upon the mountains, went out to seek the one sheep that had gone astray: and He had such compassion upon its infirmity, that He deigned to place it upon His sacred shoulders, and thus to carry it back to the flock. . . .

Whether the monks should have anything of their own. More than anything else is this special vice to be cut off root and branch from the monastery, that one should presume to give or receive anything without the order of the abbot, or should have anything of his own. He should have absolutely not anything: neither a book, nor tablets, nor a pen—nothing at all. For indeed it is not allowed to the monks to have their own bodies or wills in their own power. But all things necessary they must expect from the Father of the monastery; nor is it allowable to have anything which the abbot did not give or permit. All things shall be common to all, as it is written: "Let not any man presume or call anything his own." But if any one shall have been discovered delighting in this most evil vice: being warned once and again, if he do not amend, let him be subjected to punishment.

Whether all ought to receive necessities equally. As it is written: "It was divided among them singly, according as each had need": whereby we do not say—far from it—that there should be an excepting of persons, but a consideration for infirmities. Wherefore he who needs less, let him thank God and not be dismayed; but he who needs more, let him be humiliated on ac-

count of his infirmity, and not exalted on account of the mercy that is shown him. And thus all members will be in peace. Above all, let not the evil of murmuring appear, for any cause, through any word or sign whatever. But, if such a murmurer is discovered, he shall be subjected to stricter discipline. . . .

Although human nature itself is prone to have pity for these ages—that is, old age and infancy—nevertheless the authority of the Rule also has regard for them. Their weakness shall always be considered, and in the matter of food, the strict tenor of the Rule shall by no means be observed, as far as they are concerned; but they shall be treated with pious consideration, and may anticipate the canonical hours. . . .

We believe, moreover, that, for the daily refecton of the sixth as well as of the ninth hour, two cooked dishes, on account of the infirmities of the different ones, are enough for all tables: so that whoever, perchance, can not eat of one may partake of the other. Therefore let two cooked dishes suffice for all the brothers: and, if it is possible to obtain apples or growing vegetables, a third may be added. One full pound of bread shall suffice for a day, whether there be one refecton, or a breakfast and a supper. But if they are going to have supper, the third part of that same pound shall be reserved by the cellarer, to be given back to those who are about to sup. But if, perchance, some greater labour shall have been performed, it shall be in the will and the power of the abbot, if it is expedient, to increase anything; surfeiting above all things being guarded against, so that indigestion may never seize a monk: for nothing is so contrary to every Christian as surfeiting. . . . But the eating of the flesh of quadrupeds shall be abstained from altogether by every one, excepting alone the weak and the sick. . . .

Concerning the daily manual labour. Idleness is the enemy of the soul. And therefore, at fixed times, the brothers ought to be occupied in manual labours; and again, at fixed times, in sacred reading. Therefore we believe that, according to this disposition, both seasons ought to be arranged: so that, from Easter until the Calends of October, going out early, from the first until the fourth hour they shall do what labour may be necessary. Moreover, from the fourth hour until about the sixth, they shall be free for reading. After the meal of the sixth hour, moreover, rising from table, they shall rest in their beds with all silence; or, perchance, he that wishes to read may so read to himself that he do not disturb another. And the nona (the second meal) shall be gone through with more moderately about the middle of the eighth hour; and again they shall work at what is to be done until Vespers. But, if the

exigency or poverty of the place demands that they be occupied by themselves in picking fruits, they shall not be dismayed: for then they are truly monks if they live by the labours of their hands; as did also our fathers and the apostles. Let all things be done with moderation, however, on account of the faint-hearted. From the Calends of October, moreover, until the beginning of Lent they shall be free for reading until the second full hour. At the second hour the tertia (morning service) shall be held, and all shall labour at the task which is enjoined upon them until the ninth. The first signal, moreover, of the ninth hour having been given, they shall each one leave off his work: and be ready when the second signal strikes. Moreover after the refectio they shall be free for their readings or for psalms. But in the days of Lent, from dawn until the third full hour, they shall be free for their readings; and, until the tenth full hour, they shall do the labour that is enjoined on them. In which days of Lent they shall all receive separate books from the library: which they shall read entirely through in order. These books are to be given out on the first day of Lent. Above all there shall certainly be appointed one or two elders, who shall go round the monastery at the hours in which the brothers are engaged in reading, and see to it that no troublesome brother chance to be found who is open to idleness and trifling, and is not intent on his reading; being not only of no use to himself, but also stirring up others. If such a one—may it not happen—be found, he shall be admonished once and a second time. If he do not amend, he shall be subject under the Rule to such punishment that the others may have fear. Nor shall brother join brother at unsuitable hours. Moreover on Sunday all shall engage in reading: excepting those who are deputed to various duties. But if anyone be so negligent and lazy that he will not or can not read, some task shall be imposed upon him which he can do; so that he be not idle. On feeble or delicate brothers such a labour or art is to be imposed, that they shall neither be idle, nor shall they be so oppressed by the violence of labour as to be driven to take flight. Their weakness is to be taken into consideration by the abbot.

Although at all times the life of the monk should be such as though Lent were being observed: nevertheless, since few have that virtue, we urge that, on those said days of Lent, he shall keep his life in all purity; and likewise wipe out, in those holy days, the negligencies of other times. This is then worthily done if we refrain from all vices, if we devote ourselves to prayer with weeping, to reading and compunction of heart, and to abstinence. Therefore, on these days, let us add of ourselves something to the ordinary amount of our service: special prayers, abstinence from food and drink; so that each one, over and above the amount allotted to him, shall offer of his own will something to God with rejoicing of the Holy Spirit. That is, he shall restrict his body in

food, drink, sleep, talkativeness, and merry-making; and, with the joy of a spiritual desire, shall await the holy Easter. The offering, moreover, that each one makes, he shall announce to his abbot; that it may be done with his prayers and by his will. For what is done without the permission of the spiritual Father, shall be put down to presumption and vain-glory, and not to a monk's credit. Therefore all things are to be done according to the will of the abbot. . . .

Whether a monk should be allowed to receive letters or anything. By no means shall it be allowed to a monk—either from his relatives, or from any man, or from one of his fellows—to receive or to give, without order of the abbot, letters, presents or any gift, however small. But even if, by his relatives, anything has been sent to him: he shall not presume to receive it, unless it have first been shown to the abbot. But if he order it to be received, it shall be in the power of the abbot to give it to whomever he may will. And the brother to whom it happened to have been sent shall not be chagrined; that an opportunity be not given to the devil. Whoever, moreover, presumes otherwise, shall be subject to the discipline of the Rule. . . .

Concerning the manner of receiving brothers. When any new comer applies for conversion, an easy entrance shall not be granted him: but, as the apostle says, "Try the spirits if they be of God." Therefore, if he who comes perseveres in knocking, and is seen after four or five days to patiently endure the insults inflicted upon him, and the difficulty of ingress, and to persist in his demand: entrance shall be allowed him, and he shall remain for a few days in the cell of the guests. After this, moreover, he shall be in the cell of the novices, where he shall meditate and eat and sleep. And an elder shall be detailed off for him who shall be capable of saving souls, who shall altogether intently watch over him, and make it a care to see if he reverently seek God, if he be zealous in the service of God, in obedience, in suffering shame. And all the harshness and roughness of the means through which God is approached shall be told him in advance. If he promise perseverance in his steadfastness, after the lapse of two months this Rule shall be read to him in order, and it shall be said to him: "Behold the law under which thou dost wish to serve; if thou canst observe it, enter; but if thou canst not, depart freely." If he have stood firm thus far, then he shall be led into the aforesaid cell of the novices; and again he shall be proven with all patience. And, after the lapse of six months, the Rule shall be read to him; that he may know upon what he is entering. And, if he stand firm thus far, after four months the same Rule shall again be re-read to him. And if, having deliberated with himself, he shall promise to keep everything, and to obey all the commands that are laid upon him: then he shall be received in the congregation; knowing that

it is decreed, by the law of the Rule, that from that day he shall not be allowed to depart from the monastery, nor to shake free his neck from the yoke of the Rule, which, after such tardy deliberation, he was at liberty either to refuse or receive. He who is to be received, moreover, shall, in the oratory, in the presence of all, make promise concerning his steadfastness and the change in his manner of life and his obedience to God and to His saints; so that if, at any time, he act contrary, he shall know that he shall be condemned by Him whom he mocks. Concerning which promise he shall make a petition in the name of the saints whose relics are there, and of the abbot who is present. Which petition he shall write with his own hand. Or, if he really be not learned in letters, another, being asked by him, shall write it. And that novice shall make his sign; and with his own hand shall place it (the petition) above the altar. And when he has placed it there, the novice shall straightway commence this verse: "Receive me oh Lord according to thy promise and I shall live, and do not cast me down from my hope." Which verse the whole congregation shall repeat three times, adding: "Glory be to the Father." Then that brother novice shall prostrate himself at the feet of each one, that they may pray for him. And, already, from that day, he shall be considered as in the congregation. If he have any property, he shall either first present it to the poor, or, making a solemn donation, shall confer it on the monastery, keeping nothing at all for himself: as one, forsooth, who from that day, shall know that he shall not have power even over his own body. Straightway, therefore in the oratory, he shall take off his own garments in which he was clad, and shall put on the garments of the monastery. Moreover those garments which he has taken off shall be placed in the vestiary to be preserved; so that if, at any time, the devil persuading him, he shall consent to go forth from the monastery—may it not happen—then, taking off the garments of the monastery, he may be cast out. That petition of his, nevertheless, which the abbot took from above the altar, he shall not receive again; but it shall be preserved in the monastery.

Concerning the sons of nobles or of poor men who are presented. If by chance any one of the nobles offers his son to God in the monastery: if the boy himself is a minor in age, his parents shall make the petition which we spoke of above. And, with an oblation, they shall enwrap that petition and the hand of the boy in the linen cloth of the altar; and thus they shall offer him. Concerning their property, moreover, either they shall promise in the present petition, under an oath, that they never, either through some chosen person, or in any way whatever, will give him anything at any time, or furnish him with the means of possessing it. Or, indeed, if they be not willing to do this, and wish to offer something as alms to the monastery for their salvation, they shall make a donation of the things which they wish to give to the mon-

astery; retaining for themselves, if they wish, the usufruct. And let all things be so observed that no suspicion may remain with the boy; by which being deceived he might perish—which God forbid—as we have learned by experience. The poorer ones shall also do likewise. Those, however, who have nothing at all shall simply make their petition; and, with an oblation, shall offer their son before witnesses. . . .

If any abbot seek to ordain for himself a priest or deacon, he shall elect from among his fold one who is worthy to perform the office of a priest. He who is ordained, moreover, shall beware of elation or pride. Nor shall he presume to do anything at all unless what he is ordered to by the abbot; knowing that he is all the more subject to the Rule. Nor, by reason of the priesthood, shall he forget obedience and discipline; but he shall advance more and more towards God. But he shall always expect to hold that position which he had when he entered the monastery: except when performing the service of the altar, and if, perchance, the election of the congregation and the will of the abbot inclines to promote him on account of his merit of life. He shall, nevertheless, know that he is to observe the Rule constituted for him by the deans or provosts: and that, if he presume otherwise, he shall be considered not a priest but a rebel. And if, having often been admonished, he do not amend: even the bishop shall be called in in testimony. But if, even then, he do not amend, his faults being glaring, he shall be thrust forth from the monastery. That is, if his contumaciousness shall have been of such a kind, that he was not willing to be subject to or to obey the Rule.

Concerning rank in the congregation. They shall preserve their rank in the monastery according as the time of their conversion and the merit of their life decrees; and as the abbot ordains. And the abbot shall not perturb the flock committed to him; nor, using as it were an arbitrary power, shall he unjustly dispose anything. But he shall always reflect that he is to render account to God for all his judgments and works. Therefore, according to the order which he has decreed, or which the brothers themselves have held: thus they shall go to the absolution, to the communion, to the singing of the psalm, to their place in the choir. And in all places, altogether, age does not decide the rank or affect it; for Samuel and Daniel, as boys, judged the priests. Therefore excepting those who, as we have said, the abbot has, for a higher reason, preferred, or, for certain causes, degraded: all the rest, as they are converted, so they remain. Thus, for example, he who comes to the monastery at the second hour of the day, may know that he is younger than he who came at the first hour of the day, of whatever age or dignity he be. And, in the case of boys, discipline shall be observed in all things by all. The juniors, therefore, shall honour their seniors; the seniors shall love their juniors. In the very calling of names. it

shall be allowed to no one to call another simply by his name: but the seniors shall call their juniors by the name of brothers. The juniors, moreover, shall call their seniors "nonni," which indicates paternal reverence. The abbot, moreover, because he is believed to be Christ's representative, shall be called Master and Abbot; not by his assumption, but through honour and love for Christ. His thoughts moreover shall be such, and he shall show himself such, that he may be worthy of such honour. Moreover, wherever the brothers meet each other, the junior shall seek a blessing from the senior. When the greater one passes, the lesser one shall rise and give him a place to sit down. Nor shall the junior presume to sit unless his senior bid him; so that it shall be done as is written: "Vying with each other in honour." Boys, little ones or youths, shall obtain their places in the oratory or at table with discipline as the end in view. Out of doors, moreover, or wherever they are, they shall be guarded and disciplined; until they come to an intelligent age.

Concerning the ordination of an abbot. In ordaining an abbot this consideration shall always be observed: that such a one shall be put into office as the whole congregation, according to the fear of God, with one heart—or even a part, however small, of the congregation with more prudent counsel—shall have chosen. He who is to be ordained, moreover, shall be elected for merit of life and learnedness in wisdom; even though he be the lowest in rank in the congregation. But even if the whole congregation with one consent shall have elected a person consenting to their vices—which God forbid—and those vices shall in any way come clearly to the knowledge of the bishop to whose diocese that place pertains, or to the neighbouring abbots or Christians: the latter shall not allow the consent of the wicked to prevail, but shall set up a dispenser worthy of the house of God; knowing that they will receive a good reward for this, if they do it chastely and with zeal for God. Just so they shall know, on the contrary, that they have sinned if they neglect. The abbot who is ordained, moreover, shall reflect always what a burden he is undertaking, and to whom he is to render account of his stewardship. He shall know that he ought rather to be of help than to command. He ought, therefore, to be learned in the divine law, that he may know how to give forth both the new and the old; chaste, sober, merciful. He shall always exalt mercy over judgment, that he may obtain the same. He shall hate vice, he shall love the brethren. In his blame itself he shall act prudently and do nothing excessive; lest, while he is too desirous of removing the rust, the vessel be broken. And he shall always suspect his own frailty; and shall remember that a bruised reed is not to be crushed. By which we do not say that he shall permit vice to be nourished; but prudently, and with charity, he shall remove it, according as he finds it to be expedient in the case of each one, as we have already

said. And he shall strive rather to be loved than feared. He shall not be troubled and anxious; he also shall not be too obstinate; he shall not be jealous and too suspicious; for then he will have no rest. In his commands he shall be provident, and shall consider whether they be of God or of the world. He shall use discernment and moderation with regard to the labours which he enjoins, thinking of the discretion of St. James who said: "if I overdrive my flocks they will die all in one day." Accepting therefore this and other testimony of discretion the mother of the virtues, he shall so temper all things that there may be both what the strong desire, and the weak do not flee. And, especially, he shall keep the present Rule in all things; so that, when he hath ministered well, he shall hear from the Lord what that good servant did who obtained meat for his fellow servants in his day: "Verily I say unto you," he said, "that he shall make him ruler over all his goods. . . ."

That they shall be mutually obedient. The virtue of obedience is not only to be exhibited by all to the abbot, but also the brothers shall be thus mutually obedient to each other; knowing that they shall approach God through this way of obedience. The command therefore of the abbot, or of the provosts who are constituted by him, being given the preference—since we do not allow private commands to have more weight than his—for the rest, all juniors shall obey their superiors with all charity and solicitude. But if any one is found contentious, he shall be punished. If, moreover, any brother, for any slight cause, be in any way rebuked by the abbot or by any one who is his superior; or if he feel, even lightly, that the mind of some superior is angered or moved against him, however little: straightway, without delay, he shall so long lie prostrate at his feet, atoning, until, with the benediction, that anger shall be appeased. But if any one scorn to do this, he shall either be subjected to corporal punishment; or, if he be contumacious, he shall be expelled from the monastery. . . .

Concerning the fact that not every just observance is decreed in this Rule. We have written out this Rule, indeed, that we may show those observing it in the monasteries how to have some honesty of character, or beginning of conversion. But for those who hasten to the perfection of living, there are the teachings of the holy Fathers: the observance of which leads a man to the heights of perfection. For what page, or what discourse, of Divine authority of the Old or the New Testament is not a most perfect rule for human life? Or what book of the holy Catholic Fathers does not trumpet forth how by the right path we shall come to our Creator? Also the reading aloud of the Fathers, and their decrees, and their lives; also the Rule of our holy Father Basil—what else are they except instruments of virtue for well-living and obedient monks? We, moreover, blush with confusion for the idle, and the

evilly living and the negligent. Thou, therefore, whoever doth hasten to the celestial fatherland, perform with Christ's aid this Rule written out as the least of beginnings: and then at length, under God's protection, thou wilt come to the greater things that we have mentioned; to the summits of learning and virtue.

SAINT BONAVENTURE

AT THE MOMENT when Dante finally nears his goal in the *Divine Comedy*, Beatrice gives way to St. Bernard, the symbol of Christian mysticism. Professor Gilson makes much of this fact: "We are all attention to the great intellectual movement which culminated in the marvellous success of Thomism. . . . Yet for all our attention, we may only too easily fail to realize that the philosophic structure of the Middle Ages was crowned by mysticism. . . . We cannot see the thirteenth century otherwise than gravely falsified, if we see only the measureless effort of the intellect labouring in the schools in the service of knowledge and faith, and do not balance against it the thousands of hidden lives reaching out towards love in the silence of the cloisters. Rightly seen, the Cistercians gathered around St. Bernard, the Victorines around Hugh and Richard, the Franciscans around St. Bonaventure represent the affective life of the mediaeval West at its most intense and its most beautiful."¹ The philosophy of St. Bonaventure (1221-74) represents a culminating point in the tradition of Christian mysticism stemming from St. Augustine and practiced distinctively by the Franciscan Order. As such, it is, along with Thomism, an essential part of the scholastic synthesis proclaimed by Pope Sixtus V and reiterated in 1879 by Leo XIII. The philosophy of St. Thomas, with its devotion to the ideal of intellectual contemplation, is complemented by that of St. Bonaventure, with its preëminent dedication to the attainment of union with God through mystic love, by which man gradually learns to center his desire in the eternal.

St. Bonaventure was born in Italy and was christened Johannes Fidanza. While still a young man he entered the Franciscan Order. At Paris, where he went to study, he was initiated into the Augustinian theology by the celebrated Alexander of Hales (died 1245), and Bonaventure always considered himself merely a continuator of Alexander's teachings. Bonaventure's philosophy developed exclusively within the Augustinian tradition; he was immune to the influence of even so forceful a thinker as Albert the Great (1193?-1280), who was teaching at Paris during Bonaventure's stay there, and he always condemned Aristotle as a pagan philosopher. Bonaventure taught for a while at Paris, but his teaching career was terminated when he became General of the Franciscan Order in 1257. In the same year he was admitted to the rank of Doctor in the University. This took place over the objections of the faculty, who were embroiled in the recurrent conflict between the secular and regular clergy and who were loathe to admit a member of a mendicant Order. It was only through the intercession of the pope that Bonaventure and the Dominican Thomas of Aquinas were received as doctors on the same day.

However, St. Bonaventure was unable to exercise his new authority. He spent the rest of his life in the administration of the delicate affairs of the Franciscan Order, and his philosophic speculations grew out of the recurrent doctrinal and political controversies between the Franciscans and the Dominicans.

¹ Etienne Gilson, *The Philosophy of Saint Bonaventure*, trans. by Dom I. Trethowan and F. J. Sheed (London, Sheed and Ward, 1938), p. x.

The Journey of the Mind to God (*Itinerarium Mentis in Deum*), the title of the work that follows, might well be the name given to all Bonaventure's work, since it states a theme which runs through all Bonaventure's speculations and which his philosophy subserves. Bonaventure reiterates the Platonic conviction so characteristic of the medieval mind that the things of this world are important only in so far as they are prefigurements of the eternal Source of all being. For Bonaventure, philosophy is the practice of dying to this world for the sake of being reborn in the next, and it is only justified as a preparation of the soul for that ascent which leads to a union of the mind with God. The single task of philosophy is the inquiry into the three great stages in this pilgrimage of the soul: first, the discernment of those intimations of God to be found amongst sensible things; second, the contemplation of God's traces in the soul; and third, the contemplation of God directly. It is thus that the end of life is reached, and it is only through such an attainment that those principles are established upon which philosophy depends for its validity.

Although there is much in the work of St. Bonaventure that is philosophical, *The Journey of the Mind to God* is not itself primarily a philosophical work. It was written in 1259 during Bonaventure's stay on Mount Alvernia. As he states in the Prologue to the work, he desired to chart the journey which he considered to be the essential business of human life, and which is symbolized by St. Francis's miraculous vision on Mount Alvernia. *The Journey of the Mind to God* is a study in the attainment of a peace that passeth understanding, and, as such, it is devoted primarily to the affairs of Christian love rather than Christian understanding.

It is this enterprise that lies at the summit, if not at the base, of monasticism, and this philosophy must be understood as the program for monastic society. The life of a *religiosus* was the systematic turning of love from sensible objects, an ideal which even the secular Christian professed but found impossible to embody.

The following selections were translated from the Latin by Father James and published as *The Franciscan Vision* (London, Burns, Oates, and Washbourne, 1937).



THE JOURNEY OF THE MIND TO GOD

PROLOGUE

AT THE OUTSET I invoke the Source whence all enlightenment descends to man, the Father of light from whom is "every best gift and every perfect gift." Through the Son of God, our Lord Jesus Christ, I appeal to the Eternal Father that by the intercession of the most holy Virgin Mary, Mother of the same God and Lord, Christ Jesus, and by that of Blessed Francis, our guide and father, He might impart to us the "spirit of wisdom and revelation" so as to direct our feet in the ways of that peace which surpasseth all understanding. It was the gospel of this peace our Lord Jesus Christ preached; it was peace

such as this He gave to men. Following in the footsteps of the Master, our father St. Francis, went through life preaching peace at the beginning and end of every discourse, wishing peace to all whom he met on the way, and sighing after ecstatic peace in every elevation of his mind like a citizen of that Jerusalem, whereof it is said by that Man of Peace who was peaceful with them that hated peace: "Seek ye those things which are for the peace of Jerusalem." For he knew that only in peace stands the throne of Solomon, as it is written: "in peace is his dwelling-place, and his habitation is in Sion."

Inspired by the example of the Blessed Francis, I sought after this peace with ardent longing—I, a sinner, who, though in all respects unworthy, have succeeded, the seventh in the order of time, to the general ministry of the brethren. It happened that as this desire came vehemently to me, and I longed for peace, God led me, in the thirty-third year after the death of Francis, to Mount Alvernia as to a place of quiet. While I abode there and was pondering over certain elevation of the human mind to God, the associations of the place brought before me that miracle which on this very spot had happened to the Blessed Francis when he saw a winged Seraph in the image of the Crucified. It occurred to me that the vision vouchsafed to St. Francis typified the uplifting of our father in contemplation and the manner of his rapture suggested itself to my mind. . . .

DEGREES OF THE SOUL'S ASCENT: GOD'S FOOTPRINTS IN CREATION

"Happy the man whose help is from Thee, when he hath set pilgrimages in his heart through the Valley of Tears, to the goal he hath fixed." Since happiness is nothing else but the enjoyment of the Supreme Good, and the Supreme Good is above us, no one can be happy who does not rise beyond himself. This raising up of man is to be understood, of course, of mind and heart and not of body, and since there is question of reaching above himself on the part of man, he must be helped by supernatural strength and be lifted up by a higher power than stoops to raise him. However much then a man's inward steps are ordered and progress made, it is of no avail unless accompanied by help from on high. But divine aid is at hand for those who seek it with a devout and humble heart, and sigh for it in this Valley of Tears; this is done by fervent prayer. Prayer is, therefore, the source and origin of every upward progress that has God for goal. Wherefore, Dionysius in his "Mystical Theology," wishing to instruct us in these transcendent workings of the soul sets down prayer as the first condition. Let us each, therefore, have recourse to prayer and say to our Lord God: "Lead me, O Lord, on Thy path, that I may walk in Thy truth. Let my heart rejoice that it feareth Thy name."

By so praying we are led to discern the degrees of the soul's ascent to God.

For, inasmuch as, in our present condition, this universe of things is a ladder whereby we may ascend to God, since among these things some are God's footprints, some God's image, some corporeal, some spiritual, some temporal, some eternal, and, hence, some outside of us, and some inside, it follows that if we are to attain to the contemplation of the First Principle and Source of all things, in Himself altogether spiritual, eternal, and above us, we must begin with God's footprints which are corporeal, temporal and outside us and so enter on the Way that leads to God. We enter in within our own souls, which are images of the eternal God, spiritual and interior to us, and this is to enter into the Truth of God. Finally, we must reach out beyond and above ourselves to the region of the eternal and supereminently spiritual and look to the First Principle of all, and that is to enjoy the knowledge of God in reverential contemplation of His Majesty. . . .

In direct relation with this threefold progress of the soul to God, the human mind has three fundamental attitudes or outlooks. The first is towards corporeal things without, and in this respect it is designated as animal or simply sensual; the next is where it enters in within itself to contemplate itself, and here it ranks as spirit; the third is where its upward glance is beyond itself, and then it is designated "mens" or mind. In all three ways the human soul must prepare to raise itself to God so that it may love Him with the whole mind, with all its heart, and with its whole soul, for in this consists the fullness of the Law and the highest Christian Wisdom.

But since every one of the aforesaid modes is doubled, according as we come to consider God as Alpha, and as Omega, or according as we come to contemplate God in each as in and through a mirror, or because each of these modes of contemplation may be joined with another, or operative simply and purely in itself, so it is necessary that these three primary grades should be raised to the number six; whence, as God completed the universal world in six days, and rested on the seventh, so the smaller world of man is led in the most orderly way, by six successive grades of illumination, to the quiet of contemplation. A symbol of this may be seen in the six steps that led to the throne of Solomon; in the six-winged Seraphim which Isaiah beheld in vision; in the six days after which God called Moses from the midst of darkness; and in the six days after which, as we read in Matthew, Christ led His disciples up into a mountain, and was transfigured before them.

Corresponding to the six degrees of the soul's ascent to God there are within the soul six kinds of faculties or powers by which we rise from depths to the heights, from external to things internal, from things of time to those of eternity, to wit, sense, imagination, reason, intellect, intelligence, and the fine point or apex of the soul. These powers we have implanted in us by nature;

by sin deformed, they are reformed through grace; and they must be purified by justice, exercised by knowledge, and made perfect by wisdom. . . .

Since it is imperative first to make the ascent of Jacob's Ladder before we can hope to descend, let us place the first step of the ascent at the bottom holding up this whole sensible world before us as a mirror, through which we may rise to God, the supreme Craftsman. In that way we shall be true Israelites passing forth from the land of Egypt to the land of promise, and also true Christians going forth from this world to the Father, and lovers of Wisdom who answer the Call which says: "Come unto me all ye that desire me, and be ye filled with mine offspring." "For from the greatness and beauty of created things, their Creator may be seen and known."

The supreme wisdom, power and benevolence of the Creator are reflected in all created things. This is intimated in a threefold manner by the adjustment of external and internal senses in man. The bodily senses minister to the mind, whether it be engaged in rational investigation, in docile faith, or in intellectual contemplation. In contemplation it considers the actual existence of things; in faith it examines the unfolding of events; and in reasoning it surmises their potential pre-excellence.

The first point of view, which is that of contemplation, considering things in themselves, discerns in them weight, number, and measure: weight which marks the point to which they tend, number whereby they are distinguished, and measure whereby they are limited. Hereby it sees in things mode, species, order, as well as substance, virtue and action, from which the mind may arise, as from footprints, to the knowledge of the power, wisdom and boundless goodness of the Creator.

The second point of view, which is that of faith, when it considers the universe goes on to reflect upon its origin, its course, and its end. For "by faith we understand that the world was framed by the word of God." By faith we know that the three epochs—of nature, of the law, and of grace—have succeeded one another in order. By faith we know that the world will terminate with a final judgment. In the first, we observe God's power; in the second, His providence; and in the third, His justice.

The third point of view, that of reason, when it investigates the universe recognises that some things have only being, others being and life, and others possess not only being and life but knowledge and discernment. This gives us three levels of reality, ranging from lowest to highest. From this viewpoint, also, it is clear that some things are merely corporeal, and some partly corporeal and partly spiritual, while others, ranking highest in perfection and dignity, are purely spiritual. Likewise some things, it is seen, are mutable and corruptible, such as terrestrial things; others are mutable and incorruptible, such

as celestial bodies; whence it may be concluded that some things are both immutable and incorruptible, such as supercelestial things. From these visible things, therefore, the human mind rises up to consider the power and goodness and wisdom of God in whom reside Being and Life and Intelligence, in a purely spiritual, incorruptible, and immutable state. . . .

GOD'S IMAGE RECONSTRUCTED BY GRACE IN THE SOUL

Where a man falls, there must he lie, unless someone intervenes to raise him up. In the same way man must have lain, chained by the life of the senses and unable to come to the contemplation of his soul and of eternal truth within it, were it not for the intervention of Truth Itself. Taking unto Itself a human form in Jesus Christ, becoming, as it were, a ladder between earth and heaven, Truth repaired God's original ladder smashed in Adam. No matter how enlightened a man may be either by nature or by acquired knowledge, he cannot come to the contemplation of his inmost self or experience delight in the Lord except it be through the mediation of Jesus Christ, who says: "I am the door; by me if any man enter in he shall be saved and shall go in and out and shall find pastures." But the approach to this door is conditioned by our faith in Him, our hope in Him, and our love: by faith, hope, and charity. If, therefore, we are to re-enter in within ourselves, as into a long-lost paradise, and come to a fruition of the truth, we must enter by the door of faith, hope, and charity, virtues that are based on the mediation between God and man of His Son, Christ Jesus, who is, as it were, the Tree of Life in the garden of Paradise.

God's Image in the soul of man, then, must be re-constituted by means of the three theological virtues, faith, hope and charity. These virtues purify, enlighten and perfect the soul, thus repairing God's broken Image, fitting out the soul for the heavenly Jerusalem and constituting it a unit of the Church militant which is the offspring of the heavenly Jerusalem as is suggested by the Apostle: "That Jerusalem which is above is free, which is our mother." The soul, therefore, that has faith and hope in Christ, and is adorned with Charity in Him, the Word of the Father, incarnate, uncreated and inspired, "the way, the truth and the life," has advanced in its quest in a threefold manner. By faith in Christ, the uncreated Word and Splendour of the Father, the soul recaptures two mystical senses of hearing and vision: hearing, to accept the sayings of Christ, and vision, with which to contemplate the splendours of His light. By the virtue of hope, the soul sighs for the coming of the Word proceeding from the Father, and in this longing and attachment begins anew to experience the sweet odour of Christ as by a veritable sense of smell. Finally, by love for Christ, hastening to embrace the Word Incarnate who

comes, the soul receives in return from Him such heavenly delight that in a very ecstasy of love it finds itself anew experiencing such a relish and feeling of intimacy as can be only compared with the physical senses of taste and touch. The soul adorned with these new mystical senses is like the Spouse in the *Canticle of Canticles*, delighting with all its senses in the presence of its Bridegroom, celebrating in song its union with God, and for its purpose employing the medium of this *Canticle of Canticles* composed for those who reach the fourth degree of contemplation. The understanding of all this is beyond the grasp of people who have not actually experienced it; the experience itself is something ineffable and cannot be expressed in rational terms or exhausted by reflective considerations. In this degree of contemplation the soul is equipped with mystical senses for no other purpose than this experimental knowledge of God whereby it may behold that which is supremely beautiful, hear that which is deepest harmony, sense the most transcendent odour, taste a sweetness source of all other sweetness, and experience the intimacies of contact with the Source of all delights. Possessed of these mystic senses, the soul is disposed for ecstatic raptures of devotion, exultation and delight, as is suggested by three sets of phrases from the *Canticle of Canticles*. Of these, the first is uttered in a fullness of devotion and the soul is likened to a rod of smoke from the perfumes of myrrh and frankincense. The second, in an excess of exultation, sees the soul as like the dawn, like the moon, like the sun itself, raised up mystically to receive its Bridegroom. The third suggests the rapture when the soul in an ecstasy of joy leans upon its Beloved, gently breathing in the delight of Him.

At this stage the soul in its hierarchical character is prepared for the goal of its efforts which is that heavenly Jerusalem, with its divinely ordered hierarchy, into which it must enter. The very prime condition of this ultimate issue is that this supernal Jerusalem first descend into the heart of man, as John in his *Apocalypse* saw, and bestow upon the soul its own ordered and hierarchical character. This is brought about by the reconstitution of God's Image in the soul by grace and the theological virtues, by the addition of those mystic senses to which we have referred and by the rapturous elevations of the soul which follow, so that the human spirit now reflects the hierarchic order of the heavenly Jerusalem, being purified, enlightened and perfected. But if this hierarchy of heaven is to be reflected in the soul, it must, in addition, show forth the presence of heaven's nine choirs in an ordered series which will consist of vocation, communication, persuasion, ordination, invigoration, command, acceptance, revelation and unction. The three first-named of these have regard to the nature of the human soul; the three following grades to the soul's industry and activity; the last three bear a direct relation to grace.

Possessing these, the soul when it enters in within itself finds itself in presence of the heavenly Jerusalem, where it beholds the orders of the angels and reflected in these orders God who, dwelling in them, is the Source of all their actions. Little wonder that St. Bernard should write to Eugenius:

God in the Seraphim loves as charity; God in the Cherubim knows as truth; in the Thrones He sits in equity; in the Dominations He prevails as majesty; He rules in Principalities as power; in the Virtues He reflects His virtue; in the Archangels He spreads His light; in the Angels His piety shines.

Thus entering within ourselves to find God as He is present to us in all those gifts which are the outcome of His most generous bounty we begin to learn how truly God is "all in all."

To attain to this degree of contemplation the indispensable and principal aid is the divinely-inspired Sacred Scripture, just as for the preceding degree philosophy was the chief pre-requisite. For the Scriptures inculcate chiefly the necessity of repairing what was lost by sin and of re-constructing the broken order of things. The virtues of faith, hope, and charity occupy accordingly a prominent place therein. This is especially true of charity. Of this St. Paul says: "The end of the law is charity from a pure heart, and a good conscience, and an unfeigned faith." He also declares that charity is "the fulfilment of the law." Our Saviour inculcates the same truth when He says that "the whole law and the prophets" depend upon the two precepts, the love of God and the love of one's neighbour. These two forms of love are found united in the one true Bridegroom of the Church, Christ Jesus, who is at once our Neighbour and our God, who is our Brother and Lord, at once our Friend and our King, the uncreated Word Incarnate, our Creator and Re-Creator, Alpha and Omega. Christ is also the supreme High Priest who purifies, enlightens and perfects His Spouse, the Church, in its entirety and in every individual holy soul.

It is with Christ in this sense, and with His Church in its saintly hierarchy, that Scripture is chiefly concerned, urging men to be purified, enlightened and perfected according to the threefold law, the natural law, the written law, and the law of grace. Thus by the Mosaic law men may be said to be purified, by the prophetic revelations they are enlightened, and by the evangelical message they are brought to perfection. We may put it in another way. There is in Scripture a threefold meaning or significance: the metaphorical, by which men are purified and led to a more upright life; the allegorical, which illuminates the understanding; the anagogical, which intoxicates the soul with deep draughts of wisdom. All this is brought about by the different preparations we have just been describing. We began with the three theological virtues, then came the mystical senses, followed in turn by three forms of rapture, and finally came the many acts of the mind which fall into a hierarchical design.

By these, indeed, as by so many steps, we enter in within our souls to behold God in the glories of the saints, and to rest therein, as in a bridal chamber, docile to the bidding of the divine Bridegroom not to stir until the impulse to awaken arises.

We have ascended two of the intermediary steps in the soul's progress towards the contemplation of God within it. In this there is the suggestion of the two wings, extending from the body, and poised as if for flight. In the first place, recall how we can pass to the contemplation of God when we regard our souls in their natural powers, with their activities, their inclinations and acquired habits, as mirrors wherein God's perfection is reflected: this constituted the third degree or gradient in the soul's ascent to God. Secondly, we reached the fourth degree when we came to consider the soul, no longer in its mere natural state but as perfected by the life of grace, when we saw in turn the infused virtues, the mystical senses and supernatural raptures. The path stretches out before us, definitely marked and ordered, passing from purification to enlightenment and finally to perfection. The Scriptures light the way in partial revelations that pass from angel to man according to the dictum of St. Paul, "the law was ordained by angels in the hand of a mediator." In fine, the order and hierarchy that had to be introduced into the disposition of the soul for its ascent reflected the hierarchic choirs which are found in the heavenly Jerusalem.

The effect of all this progressive enlightenment on the soul is that it becomes the dwelling-place of divine Wisdom. The daughter and spouse and friend of God, a member of Christ the Head, and sister and co-heir with Him, the soul is made the sanctuary of the Holy Spirit, a temple grounded in faith, raised on hope, and dedicated to God in its own sanctity as well as in that of its conjoint body. All this is accomplished by the perfectly sincere love of Christ which is "poured forth in our hearts by the Holy Ghost who is given to us" and without which we can not know the secret things of God. For as "no one can know the things of a man save the spirit of man, which is in him, even so the things of God none knoweth save the Spirit of God." Let us, therefore, be rooted and grounded in love, so that we may be able to comprehend, with all the saints, what is the length of eternity, the breadth of liberality, the height of majesty, and the depth of discerning Wisdom.

THE QUIET OF CONTEMPLATION

In its progress towards the possession of God the soul has now passed through six stages. The number of these gradients in the journey of the soul is not without its own significance. Six steps led up to the throne of Solomon and to peace where, as in some inner Jerusalem, the true man of peace reposed in

peace of soul. Six wings, too, enveloped the Seraph thereby suggesting to us a picture of the true contemplative raised up from things of earth and enlightened by supernal wisdom. And in six days was the labour of creation completed before the rest of the Sabbath supervened. Recall these six stages of human progress towards the quiet of contemplation. In the first, the soul was led to God by going out to external things to admire in them the work of God's creative power. Then, looking at creation, the soul beheld God's footprints upon the world's surface: the material world became a mirror in which it beheld its God. Next, turning its attention inwards to itself, the soul began to reach God from a consideration of itself as God's created image, and then a further step was made when it began to behold God in the mirror of its renovated being. Whereupon, the soul was led to raise its gaze above and beyond itself, seeking, as it were, the light of God's countenance and rejoicing in its own progress. But no rest was possible until it found God in His own reflected light, for all this progress was achieved in a degree suitable for those who are still pilgrims on the way to God and who must depend upon their own efforts to scale the heights of contemplation. But when the soul shall have reached the sixth step and begun to contemplate the First and Highest Principle of all and Jesus Christ, the Mediator of God and man, then it shall have contact with spiritual things, so sublime that any comparison with created things becomes impossible, and so deeply mysterious that all intellectual keenness is unavailing. Then it will be swept up not only beyond the wonders of all creation but out of its very self and above it. By means of Jesus Christ, the Way, the Door, the Ladder, shall this transition be affected, for He is as it were, the Seat of Mercy, placed over the ark of God, and the Sacrament hidden from the ages.

With face fully turned towards this Seat of Mercy, seeing Him hanging on the Cross, in faith, hope, charity, devotion, delight, exaltation, appreciation, praise and jubilation, the soul is ready to celebrate its Passover, that is, its transition from things of time to the eternal, passing over, by the power of the Cross, the Red Sea into the desert where it will begin to taste the hidden manna, there to rest in the tomb of Christ to all appearance dead yet experiencing, in so far as a pilgrim may, what was promised on the hill of Calvary to the good thief: "This day thou shalt be with Me in paradise."

This was the vision of Blessed Francis on the lofty mountain where he was raised into an ecstasy of contemplation and upon which I thought out the things here written. To him appeared a six-winged Seraph fastened to a Cross. From the companion who was with him when these things happened and when he was taken up by God in ecstasy, I and many others have gathered this account. In this. Blessed Francis, another Jacob become Israel, is for us a

perfect model of the contemplative life, just as hitherto he had proved himself outstanding in the life of action, so that more by the force of his example than by word, God invited the truly spiritual to seek after such quiet of contemplation and ecstasy of soul as was experienced by him on Mount Alvernia.

If this transition, however, is to be genuine and perfect, then must all labour on the part of the soul's reasoning faculty cease and the soul's deep affection be centered in God and transformed, as it were, into Him. So mysterious and sublime is this experience that none save he to whom it has been given knows anything of it, that nobody receives except he who desires it, and this desire comes to him only whose whole being is inflamed by the fire of the Holy Spirit sent by Christ upon the earth. Hence it is that the "hidden things" of God were revealed, as the Apostle says, by the Holy Ghost.

Since, therefore, to arrive at this rapturous state of soul nature is of no avail and human industry of comparatively little value, little heed must be paid to inquiry but much to unction, little account must be taken of human language but much of internal experience of joy, attention must be weaned away from words and writing so as to concentrate on God's Gift to man, His Holy Spirit. In a word, the human soul must turn away its eyes from all created essences to fix them on the uncreated Essence of the Father, the Son and the Holy Ghost; the words of Dionysius must well up within it and address themselves to the Triune God: "O supereminent and transcendent Holy Trinity, Inspiration of all Christian philosophy, direct our steps to the unknown, sublime, and resplendent heights of mystic utterances. On these heights are to be found the new, the absolutely unquestionable and unchanging mysteries of theology hidden away, as it were, in the obscurity of excessively lightsome darkness and illuminating silence. Here on these heights, so resplendent in their excessive light, men are enlightened and spiritual souls are filled with the splendours of the true good." These things we address to God. But to the friend to whom this writing is directed we also speak and say: Do thou, O friend, push on boldly to the mystic vision, abandon the work of the senses and the operations of the reasoning faculty, leave aside all things visible and invisible, being and non-being, and cleave as far as possible, and imperceptibly, to the Unity of Him who transcends all essences and all knowledge. In this immeasurable and absolute elevation of soul, forgetting all created things and liberated from them, thou shalt rise above thyself and beyond all creation to find thyself within the shaft of light that flashes out from the divine, mysterious darkness.

But if thou wouldst know how such things are accomplished, then ask grace, not learning; desire, not understanding; the groanings of prayer, not industry in study; the Spouse, not the master; God, not man; obscurity, not clarity. Seek not so much light as fire which inflames one totally, filling the soul with

unction and ardent desires, and raising it out of its very self aloft to God. This fire is indeed God whose "furnace is in Jerusalem." It was kindled on earth by the Man, Jesus, in the fervour of His most ardent passion. In this fervour he participates who can say: "My soul hath chosen strangling and my bones death." He shall see God who chooses such a death, for it is undoubtedly true that "Man shall not see me and live." Let us die, therefore, and by the door of death enter into this darkness. Let us impose silence on our anxieties, our concupiscences, and upon the working of our imagination. Let us, with Christ crucified, pass from this world to the Father, that when He shall be revealed to us we may say with Philip: "It is enough for us." Let us listen with St. Paul to the words: "My grace is sufficient for thee." Let us cry out exultingly with David: "My flesh and my heart faileth, but God is the strength of my heart and my portion for ever." "Blessed be the Lord for evermore; and let all the people say: Amen and Amen."

BERNARD GUI

THE INQUISITION played an important role in the Middle Ages, but one so out of keeping with modern concepts of civil liberty and toleration that its purpose and nature have often been grossly misunderstood. While it is true that the Inquisition was turned to political or economic ends, as when King Philip the Fair used it to expropriate the Templars (1307-14), to sincere inquisitors such as Bernard Gui its object was primarily the salvation of wayward souls. The philosophical basis for an institution such as the Inquisition is stated clearly by St. Thomas Aquinas as follows:

" . . . With regard to heretics, two considerations are to be kept in mind: (1) on their side, (2) on the side of the Church.

"(1) There is the sin, whereby they deserve not only to be separated from the Church by excommunication, but also to be shut off from the world by death. For it is a much more serious matter to corrupt faith, through which comes the soul's life, than to forge money, through which temporal life is supported. Hence if forgers of money or other malefactors are straightway justly put to death by secular princes, with much more justice can heretics, immediately upon convictions, be not only excommunicated but also put to death.

"(2) But on the side of the Church there is mercy, with a view to the conversion of them that are in error; and therefore the Church does not straightway condemn, but *after a first and second admonition*, as the Apostle teaches [Tit. iii, 10]. After that, if he be found still stubborn, the Church gives up hope of his conversion and takes thought for the safety of others, by separating him from the Church by sentence of excommunication; and, further, leaves him to the secular court, to be exterminated from the world by death. . . ."

Procedure against heresy was always one of the tasks that befell a bishop, but, being one task among many, was not well done when heresy was rife and heretics numerous. Thus it was handed over to the mendicant friars, the Franciscans and the Dominicans (except in England and Scandinavia, where it remained in the hands of the bishops), the latter being the more prominently associated with the Inquisition. Although St. Dominic had participated in the suppression of the Albigensian heresy following 1208, it was in 1233 that Pope Gregory IX empowered the friars to investigate, judge, and sentence heretics. Bernard Gui (c.1261-1331) was one of the Dominican monks who devoted himself to this work, mostly in southeastern France, and wrote for the guidance of his colleagues and successors a *Manual* (c.1321), itself partly based on earlier manuals and inquisitorial experiences. The following selections from this work, translated from the Latin text given by G. Mollat (ed., Bernard Gui, *Manuel de l'inquisiteur*, 2 vols., Paris, 1926-27), are intended to illustrate some of the objects, methods, and beliefs of the inquisitors, and to cast light on a particular heresy, the Waldensian, as one of those they fought.

MANUAL OF THE INQUISITOR

GENERAL INSTRUCTIONS

. . . If a person spoke openly and clearly against the faith, offering the arguments and authorities upon which heretics usually rely, it would be very easy for the faithful learned of the Church to convict him of heresy, since he would be deemed a heretic by the very fact that he tried to defend error. But since present day heretics attempt and seek to conceal their errors rather than to avow them openly, men trained in the learning of the Scriptures cannot convict them, because they escape in verbal trickery and wily thinking. Learned men are even apt to be confounded by them, and the heretics congratulate themselves and are all the stronger therefore, seeing that they can thus delude the learned to the point of escaping artfully by the twists and turns of their crafty, cheating and underhanded replies.

It is, indeed, all too difficult to bring heretics to reveal themselves when, instead of frankly avowing their error they conceal it, or when there is not sure and sufficient testimony against them. Under these circumstances difficulties rise on all sides for the investigator. On the one hand his conscience will torment him if he punishes without having obtained a confession or conviction of heresy; on the other hand, all that repeated experience has taught him of the falseness, guile and malice of such people will cause him still greater anguish. If they escape punishment owing to their fox-like craftiness it is to the great harm of the faith, for they become even stronger, more numerous and more wily than before. Moreover, lay persons devoted to the faith find it scandalous that an inquisitorial case, once begun, should be abandoned more or less for lack of method. Seeing that the learned are fooled by common, base people, they are thereby weakened in their faith to a certain degree, for they believe that we always have at our disposal convincing and clear arguments against which no one can contend, without our immediately being able to convince him, and in such a way that the laity themselves would clearly understand these arguments. Thus, under such circumstances it is inexpedient, in the presence of laity, to discuss the faith with heretics who are so guileful.

Just as a single remedy is not suitable to all diseases, and medication varies according to the particular case, so one cannot use for all the heretics of the different sects the same method of questioning, investigation and examination, but should employ a method particular and appropriate to each case or group. Therefore the inquisitor, as a wise doctor of souls, will proceed with caution in the investigation and questioning, according to the persons he is questioning

or in whose company he is conducting the investigation, taking into account their rank, condition, status, malady and with due regard for local conditions. . . .

OF THE SECT OF THE WALDENSES AND FIRST OF ITS ORIGINS AND BEGINNINGS

The sect or heresy of the Waldenses or the Poor of Lyon came into being about the year of the Lord 1170. The man responsible for its creation was an inhabitant of Lyon, Waldes or Waldo, whence the name of its devotees. He was wealthy, but, after giving up all his property, determined to practice poverty and evangelic perfection in the manner of the apostles. He had had the Gospels and several other books of the Bible translated into vulgar tongue for his use, as well as several maxims of Saints Augustine, Jerome, Ambrose and Gregory, grouped under titles, which he and his followers called sentences. They read them very often, although they hardly understood them; nevertheless, infatuated with themselves, although they had little learning, they usurped the role of the apostles and dared to preach the Gospel in the streets and public squares. The said Waldes or Waldo drew into this presumption numerous accomplices of both sexes whom he sent out preaching as disciples.

These people, although stupid and unlearned, traveled through the villages, men and women, and entered homes, and, preaching in the squares and even in the churches, the men especially, spread about them a mass of errors.

Summoned by the Archbishop of Lyon, the lord Jean aux Blanches-Mains, who forbade them such a presumption, they refused obedience, declaring, in order to excuse their madness, that one should obey God rather than man. God ordered the apostles to preach the Gospel to all beings, they said, applying to themselves that which had been said of the apostles, whose followers and successors they boldly declared themselves to be, by a false profession of poverty and by masquerading under an appearance of holiness. Indeed they despised the prelates and clergy because, they said, they owned great wealth and lived in pleasures.

Owing to this arrogant usurpation of the function of preaching, they became teachers of error. Summoned to renounce preaching, they disobeyed and were declared in contempt, and consequently excommunicated and banished from their town and country. Finally, as they persisted, a council held at Rome before the Lateran Council [reference is to fourth Lateran Council, 1215] declared them schismatic and condemned them as heretics. Thus multiplied upon the earth they scattered through the provinces, into neighboring regions and unto the borders of Lombardy. Separated and cut off from the Church, and joining, on the other hand, with other heretics and drinking in their

errors, they blended with their own concoctions the errors and heresies of earlier heretics.

THE ERRORS OF THE PRESENT WALDENSES (THEY PREVIOUSLY HELD SEVERAL OTHERS)

Disdain for ecclesiastical authority was and still is the prime heresy of the Waldenses. Excommunicated for this reason and delivered over to Satan, they have fallen into innumerable errors, and have blended the errors of earlier heretics with their own concoctions.

The misled believers and sacrilegious masters of this sect hold and teach that they are in no way subject to the lord Pope or Roman Pontiff, or to the other prelates of the Roman Church, and that the latter persecute and condemn them unjustly and improperly. Moreover, they declare that they cannot be excommunicated by this Roman Pontiff and these prelates, and that obedience is owed to none of them when they order and summon the followers and masters of the said sect to abandon or abjure this sect, although this sect be condemned as heretical by the Roman Church. . . .

Moreover, the sect does not accept canonical authority, or the decretals or constitutions of the Sovereign Pontiffs, any more than the regulations concerning fasts and the observance of the feasts or the decrees of the Fathers. Straying from the straight road, they recognize no authority therein, scorn them, reject and condemn them.

Moreover, the followers of the sect are even more perniciously mistaken concerning the sacrament of penance and the power of the keys. They declare they have received—this is their doctrine and their teaching—from God and none other, like the apostles who held it of Christ, the power of hearing the confessions of men and women who desire to confess to them, of granting them absolution and of prescribing penance. Thus they hear confessions, grant absolution and prescribe penance, although they have not been ordained as priests or clerics by a bishop of the Roman Church and although they are just laymen. They in no way claim to hold this power from the Roman Church, on the contrary, they deny it; and in fact, they hold it neither from God nor from His Church, since they have been cast out from the Church by this very Church, outside which there is neither true penance nor salvation.

Moreover, this same sect hold up to ridicule the indulgences established and granted by the prelates of the Church, saying they are worthless.

Moreover, they are in error with respect to the sacrament of the Eucharist. They claim, not publicly but secretly, that in the sacrament of the altar the bread and wine do not become body and blood of Christ when the priest who

celebrates or consecrates is a sinner; and by sinner they mean any man who does not belong to their sect. Moreover, they claim, on the contrary, that any upright man, even a layman, without having received priestly ordination from the hands of a Catholic bishop, may consecrate the body and blood of Christ, provided he be of their sect. They believe that women too can do this, subject to the same condition. Thus they hold that any holy man is a priest.

OF THE FALSE AND CRAFTY REPLIES IN WHICH THEY HIDE

It is very difficult to question and examine the Waldenses; to such an extent do they hide in duplicity and tricks of words, in order not to be discovered, that one cannot draw from them the truth about their errors. Thus it is necessary at this point to say a few words about their deceit and guile.

They act in the following manner. When one of them is arrested for investigation, he usually presents himself fearlessly, as if his conscience were tranquil and without remorse. Ask him if he knows the cause of his arrest, and he will answer softly and with a smile: "My lord, I would be happy to learn it from your lips." Asked about his faith and beliefs: "I believe all that a good Christian believes," he declares. Try to learn what he means by a good Christian: "He who believes what is taught by the Holy Church." What does he call the Holy Church: "My lord," he replies, "what you yourself say and believe to be the Holy Church." If you say, "I believe it is the Roman Church ruled by the Pope and the other prelates under his authority," he replies: "And I too believe it," meaning "I am convinced that that is indeed your belief."

SPECIAL QUESTIONS FOR MEMBERS OF THE SECT OF WALDENSES

The following questions are to be put to one who confesses belonging to the sect of the Waldenses: has he seen or heard one or more members of the sect, society or brotherhood which we call Waldenses or the Poor of Lyon (among their group they call themselves Brothers or the Poor of Christ)?

Also, where, when, with whom did he see them and who were they?

Also, has he heard their preachings, teachings, pronouncements or words?

Also, what has he learned of them and of their doctrine?

Also, what have they said to him on the subject of oaths? Is it always and in all cases a sin?

Also, what have they said to him with respect to the purgatory of souls after death or after this life?

Also, with respect to prayers for the dead?

Also with respect to the indulgences granted by the Pope and the prelates of the Roman Church, although the Waldenses do not speak indiscriminately

and openly about the last three points in the presence of the simplest of their believers, but only before the best informed and most learned in their secrets. . . .

Also, had he already appeared before an inquisitor on a charge of Waldensianism? Had he been notified to appear, summoned or arrested? Had he confessed? Had he been absolved? Had a penance been imposed upon him? Had he in law abjured the heresy and Waldensianism and other similar things? . . .

SPECIAL FORM FOR ABJURING THE SECT AND HERESY OF THE WALDENSES

I, —, of — place, of — diocese, brought in judgment before you, —, inquisitor, in the presence of the most sacred Gospels of the Lord, do completely abjure all heresy contrary to the faith of Our Lord Jesus Christ and of the Holy Roman Church, and particularly the sect and heresy of those who are called Waldenses or the Poor of Lyon, with whom I had relations and of whom I was one, whose errors I believed in and whose propositions I believed to be true, and especially such or such an error (specify). I abjure their whole doctrine and renounce being among their supporters, those who harbor them, defenders and believers, under the penalty of the law for those who, having judicially abjured heresy, fall back therein.

Moreover, I swear and promise to prosecute heretics and especially the Waldenses and their believers, as far as I am able, and to seek out, denounce, have them arrested and brought before the inquisitors. . . .

INSTRUCTIONS CONCERNING THE PROCEDURE TO BE FOLLOWED WITH PERSONS WHO HAVE CONFESSED THE TRUTH IN COURT AND WITH THOSE WHO HAVE BEEN CHARGED AND ARE SUSPECT WHO REFUSE TO DO SO

If having stated in court the truth concerning the infractions committed by himself or by another person, having abjured all heresy and been reconciled with the unity of the Church, an accused shows repentance that seems sincere; and if, moreover, there is no fear that he may flee, be corrupted or relapse, and if there are no other objections, he shall be released with another person as bond for him until the time of the general sermon in the course of which penance for his crimes will be imposed on him, among others.

On the other hand, when a person who is suspected of, denounced or reported for or accused of the crime of heresy has been charged and refuses to confess, he shall be held in prison until the truth comes to light; the status and station of the person, as well as the nature of the suspicion and of the crime should, however, be taken into account. He may be released with another person as bond for him, especially when proof of his guilt is not conclusive, when

the accusation was not direct but incidental and when suspicion was not clear-cut, until such time as a new charge shall be raised against him. Nevertheless, those who benefit from this leniency shall, instead of imprisonment, take a position before the door of the home of the inquisitor each day until the mid-day meal, and after this meal until the supper hour, and shall not depart therefrom without permission of the inquisitor.

Stationing in this fashion, it should be noted, has sometimes proved more harmful than beneficial, especially when there were several such persons together and they advised each other and, this has been observed and proved, were confirmed in their errors.

When an accused is strongly suspect and in all likelihood and probability guilty, and when the inquisitor is thoroughly convinced thereof; in such a case, when the person is obdurate in his testimony and persists in his denials, as I have observed time and time again, he should not be released for any reason whatever, but should be held for a number of years, in order that his trials may open his mind. Many have I seen who, thus subjected for a number of years to this regime of vexations and confinement, end by admitting not only recent but even long-standing and old crimes, going back thirty and forty years or more.

OF THE INQUISITORS' GENERAL SERMON

After receiving the statements and testimony of the accused concerning the accused themselves or other persons with respect to heresy, the harboring or protection of heretics or other matters within the jurisdiction of the office of the Inquisition, after recording and closing the dossiers of the defense of persons living or dead, after a detailed and conscientious study of all records in the case, confessions or evidence for the defense, the inquisitors will secure the opinion of prelates and jurists; they will then hold the sermon with fitting solemnity; it is on this occasion that they will grant clemency, impose penance or issue sentences, according to the merit or fault of each.

At a proper time before the sermon, the inquisitors will seek the opinion of the said counselors. A summary and short extract concerning the crimes will be made, indicating the essence of the confession of each accused with respect to the misdeed in question, with no names mentioned, and this through prudence, in order that the counselors be able more freely to judge the penance to be imposed, without regard to person. There would, it is true, be a better established opinion if the dossiers were made available in their entirety; this is to be done, moreover, when and where the discretion of the counselors can be relied upon and when there is no danger of a breach of secrecy. Such a method would also be less prejudicial. From the beginning, however, such

has not been the custom of the Inquisition, because of the aforementioned danger; nevertheless, the complete confessions of the accused will be laid before the diocesan or his vicar, in the presence of a few experts, secretaries and jurors.

One or two days before the sermon, the inquisitor, with a notary and several other persons present, will read the above mentioned extract in vulgar tongue to each of the interested parties separately; the same extract will likewise be read during the public sermon, and the person concerned will be addressed in the following terms: "Thou, so-and-so, of such-and-such a place, as it appears from thy confession, hast done thus and so."

Moreover, on the eve of the sermon, the inquisitor, either himself or through another person as he judges best, will summon each and every one of the accused to appear at a specified place for the public sermon the next day. There they will receive penance or hear sentence, according to the nature of the case. The next day, early in the morning, the sermon will be held.

Here is the order to be followed in an inquisitor's general sermon in the Toulouse and Carcassonne regions:

First: a brief sermon will be delivered, in view of the large number of cases, after which the usual indulgence will be pronounced.

Second: the oath of the officers of the royal court, consuls and others present holding temporal jurisdiction will be received.

Third: those persons who have received this clemency will be dispensed from wearing crosses.

Fourth: those men and women for whom it is judged proper will be released from prison, and will be assigned to wear crosses and undertake pilgrimages.

Fifth: the misdeeds of those who are to receive penances or be sentenced will be listed and read in the following order: first those who are to receive arbitrary penalties such as pilgrimages, wearing of crosses and the observation of general rules of conduct; then those who are simply to be imprisoned; then those who are to be subjected to a penalty and be imprisoned as false witnesses; next, priests or clergy who are to be unfrocked and imprisoned; next come those deceased who should have been imprisoned in life, which should be stated; then heretics who died impenitent and whose bodies are to be exhumed; then fugitives thereby to be condemned as heretics and those who have relapsed into heresy following legal abjuration, who are to be handed over to the secular arm, laymen first and then clergy, if there are any; advanced heretics who refuse to abandon heresy and return to the unity of the Church, whether they be Manicheans [Albigenses] or Waldenses, whether they belong to the sect and heresy of those who, calling themselves Beguines or the Poor of Christ,

withdraw from the community of the faithful and weaken the power of the Pope and the Church. Finally come those who, after legally confessing their heresy, have subsequently retracted these confessions or those who, having been convicted of heresy on the basis of crushing testimony, refuse to confess the truth and who, moreover, fail to defend themselves at law and purge themselves of their crime, all classes of accused who, as unrepentant heretics, are to be handed over to the secular court.

Sixth: after the listing of misdeeds, and before the imposition of penances on repentant persons, these shall abjure heresy and swear to obey the orders of the Church and of the inquisitors; they will then be relieved of the sentences of excommunication they have incurred, as is known, for their crimes in heresy, and which are generally promulgated by virtue of the law.

Seventh: sentences will first be proclaimed in Latin, and then summarized in vulgar tongue. The same order will be followed as in listing the misdeeds, if this can be conveniently done. Indeed, at times the number of persons who are to receive penances, penalties and sentences makes it hardly possible to follow this order, and one may be compelled to follow another. The judge will decide this at his discretion and will do what seems to him most fitting and expedient. . . .

THE MANNER OF ACTING TOWARD HERETICS WHO REPENT AT THE MOMENT OF EXECUTION

Should it happen, as it already has on several occasions, that a condemned person abandoned and handed over to the secular arm, taken by said court and brought to the place of execution, should bespeak and affirm a desire to repent and renounce the said errors, he should be spared and returned to the inquisitors. And they should receive him, unless he had perhaps already relapsed into heresy, for here equity is to be preferred to severity, and that shock to the weak should be avoided that comes when the Church refuses the sacrament of penance to him who requests it. The office of the Inquisition formerly acted in this fashion at times.

In such a case, the inquisitors should take all necessary precautions, for those who are converted in such an extremity are rightfully suspect of acting in fear of punishment, and the inquisitors should carefully consider whether the conversion is genuine or feigned. Let them test the convert to see if he walks in the shadows or in the light, lest he be a wolf beneath a lamb's appearance.

And this may be brought out in several ways and according to several signs: if, for example, he promptly and spontaneously reveals and denounces all his accomplices to the inquisitors; if he attacks his sect in gesture, words and deeds; if he admits his former errors humbly and one by one; if he detests and abjures

them; and all of these things can be known with certainty through the questioning he will undergo and the confession he will sign.

When he has thus been readmitted to trial and has therein confessed, he should then retract and detest, with his own lips, all his old errors, publicly and legally abjure these same errors in particular and all heresy in general, confess the Catholic faith, and promise and swear all other things usually required of those who abjure. And then will he be subjected to life imprisonment, there to do penance, the right to commute the penalty being reserved, as is the custom.

As has already been said, this clemency and admission to penance after pronouncement of sentence is not, in truth in common law; but the office of the Inquisition, holding very broad powers, has introduced this procedure in many cases of this kind. And since what it has in view and seeks above all is the salvation of souls and purity of the faith, it admits to penance, the first time, heretics who wish to be converted and return to the unity of the Church. Moreover, the confessions of these converts frequently lead to the discovery of accomplices and of errors: the truth is brought to light, falsehood is uncloaked, and the office benefits thereby.

Once a conversion of this type appears to the inquisitors probably to be feigned and simulated, everything is brought to a halt and the sentence is carried out.

SAINT THOMAS AQUINAS

THOMAS TOOK THE MATERIALS for his reconstruction of traditional Augustinian supernaturalism from the resurgent Aristotelian philosophy, employing Aristotle's logic, much of his language, and many of his observations on the natural scene of human life. Some of the works of Aristotle had been banned at Paris in 1210, and Thomas's attempt to Christianize Aristotle met with much opposition during his life and after his death. The more mystical Franciscans distrusted his attempt to make God an object of intellectual contemplation, and even within his own Order there were many who opposed the attempt to Christianize a pagan philosopher who had been brought back to Europe by Arabs and Jews. For half a century after his death the reading of Thomas's works was prohibited to members of the Franciscan Order, and many of his doctrines were condemned at Paris and at Oxford, even despite the intercession of his aged teacher Albert. Nevertheless, within a century the Thomistic synthesis had become the orthodox basis of Christian philosophy. This it has remained, in addition to being the touchstone of excellence for any enterprise seeking Christian faith through Greek understanding.

Thomas's reflections on social and political questions are integral parts of his entire system of thought. Like anything else, society has a specific function—namely, the good life—and a natural ruling part, which ought to be a king. Similar considerations govern St. Thomas's insistence that the rule of law is the *sine qua non* of the good society. The doctrine of the Calvinists and of John Locke in the seventeenth century maintaining the right of a people to resist lawless tyranny is substantially a restatement of Thomas's position.

Thomas divided law into four kinds—Eternal, Natural, Divine, and Human. In the final analysis, Eternal Law—the logic implicit in the divine order of the universe—is the basis of the other three. Natural Law is the manifestation of this system of perfections among created things, and is the kind of law available to and exhibited by the process of the natural and unaided human reason. The Natural Law enjoins whatever gives reasonable exercise to natural human inclinations. By Divine Law, Thomas means the Revelation, specifically special codes of law such as the Ten Commandments. Unlike Natural Law, which is open to the unaided reason, Divine Law is available to men only in consequence of God's grace. Human Law is derived from Natural Law and is distinguished from Natural Law only because it is a specific application to the requirements of a distinctively rational creature and to the varying circumstances of time and place. Thomas's insistence that Human Law is simply the positive adaptation to specific situations of antecedent and higher principles registers a conviction that has been stubbornly persistent in subsequent political controversy and theory.

The relationship of Divine Law to Natural Law within St. Thomas's philosophy is suggestive of the way in which he brought faith in the special revelation of Christianity into harmony with the natural activity of reason represented by Aristotelian thought. At no point does Thomas hold Divine Law and Natural Law to be in conflict. Faith and reason complement each other in the Thomistic phi-

losophy. There is nothing in reason which goes against faith and there is nothing in faith which contradicts reason. Faith extends beyond reason, however. In cases where reason is impotent to arrive at a conclusive answer, that is, where reason can produce equally cogent arguments on both sides of a question, Thomas holds we must depend upon the Revelation, which is given to mankind by the grace of God in order to help it out of such an *impasse*.

St. Thomas's harmonizing of reason and faith is reflected in his method of presenting his argument. Despite his constant quotation of traditional authorities it is hardly the case that Thomas is content to rest his conclusions on what past thinkers have said. On the contrary, his erudition makes it possible for him to find authorities on both sides of an issue, and the question is solved not by appeal to authorities but by appeal to argument, which he calls "natural reason." In the same way that Thomas feels that much in faith can be understood he feels that reason can be found in what earlier thinkers have said and that when it is found it helps to make the conclusion of the argument a more adequate rendition of the truth. But it is through logical demonstration and not through blind appeal to authority that a conclusion is established for Thomas. His method is characterized neither by a concern for historical method nor by the scientist's desire to predict and control, but by a preoccupation with the contemplation in all its fullness of a truth logically elaborated. It is through this method that Thomas portrays the universe as an ascending order of beings driven each towards its own perfection by love of God's perfection. It is especially adapted to serve the function that the scholastic held to be supreme in human life. "If we look at things rightly, we may see that all human occupations seem to be ministerial to the service of the contemplators of truth."

The selections from the *Summa contra Gentiles*,¹ written in 1261-64, were translated by the English Dominican Fathers (London, Burns, Oates and Washbourne, 1924). Those from the *Governance of Rulers*, written about 1265, were translated by G. B. Phelan (London, Sheed and Ward, 1938). Both works were written in Latin.



SUMMA CONTRA GENTILES

[Book I]

CHAPTER III: IN WHAT WAY IT IS POSSIBLE TO MAKE KNOWN THE DIVINE TRUTH

SINCE . . . not every truth is to be made known in the same way, *and it is the part of an educated man to seek for conviction in each subject, only so far as the nature of the subject allows*, as the Philosopher most rightly observes as quoted by Boethius, it is necessary to show first of all in what way it is possible to make known the aforesaid truth.

¹ *Gentiles* here means "heathens."

Now in those things which we hold about God there is truth in two ways. For certain things that are true about God wholly surpass the capability of human reason, for instance that God is three and one: while there are certain things to which even natural reason can attain, for instance that God is, that God is one, and others like these, which even the philosophers proved demonstratively of God, being guided by the light of natural reason.

That certain divine truths wholly surpass the capability of human reason, is most clearly evident. For since the principle of all the knowledge which the reason acquires about a thing, is the understanding of that thing's essence, because according to the Philosopher's teaching the principle of a demonstration is *what a thing is*, it follows that our knowledge about a thing will be in proportion to our understanding of its essence. Wherefore, if the human intellect comprehends the essence of a particular thing, for instance a stone or a triangle, no truth about that thing will surpass the capability of human reason. But this does not happen to us in relation to God, because the human intellect is incapable by its natural power of attaining to the comprehension of His essence: since our intellect's knowledge, according to the mode of the present life, originates from the senses: so that things which are not objects of sense cannot be comprehended by the human intellect, except in so far as knowledge of them is gathered from sensibles. Now sensibles cannot lead our intellect to see in them what God is, because they are effects unequal to the power of their cause. And yet our intellect is led by sensibles to the divine knowledge so as to know about God that He is, and other such truths, which need to be ascribed to the first principle. Accordingly some divine truths are attainable by human reason, while others altogether surpass the power of human reason.

Again. The same is easy to see from the degrees of intellects. For if one of two men perceives a thing with his intellect with greater subtlety, the one whose intellect is of a higher degree understands many things which the other is altogether unable to grasp; as instanced in a yokel who is utterly incapable of grasping the subtleties of philosophy. Now the angelic intellect surpasses the human intellect more than the intellect of the cleverest philosopher surpasses that of the most uncultured. For an angel knows God through a more excellent effect than does man, for as much as the angel's essence, through which he is led to know God by natural knowledge, is more excellent than sensible things, even than the soul itself, by which the human intellect mounts to the knowledge of God. And the divine intellect surpasses the angelic intellect much more than the angelic surpasses the human. For the divine intellect by its capacity equals the divine essence, wherefore God perfectly understands of Himself what He is, and He knows all things that can be understood about Him: whereas the angel knows not what God is by his natural knowledge, because the angel's essence, by which he is led to the knowledge

of God, is an effect unequal to the power of its cause. Consequently an angel is unable by his natural knowledge to grasp all that God understands about Himself: nor again is human reason capable of grasping all that an angel understands by his natural power. Accordingly just as a man would show himself to be a most insane fool if he declared the assertions of a philosopher to be false because he was unable to understand them, so, and much more, a man would be exceedingly foolish, were he to suspect of falsehood the things revealed by God through the ministry of His angels, because they cannot be the object of reason's investigations.

Furthermore. The same is made abundantly clear by the deficiency which every day we experience in our knowledge of things. For we are ignorant of many of the properties of sensible things, and in many cases we are unable to discover the nature of those properties which we perceive by our senses. Much less therefore is human reason capable of investigating all the truths about that most sublime essence.

With this the saying of the Philosopher is in accord (2 *Metaph.*) where he says that *our intellect in relation to those primary things which are most evident in nature is like the eye of a bat in relation to the sun.*

To this truth Holy Writ also bears witness. For it is written (Job xi, 7): *Peradventure thou wilt comprehend the steps of God and wilt find out the Almighty perfectly?* and (xxxvi, 26): *Behold God is great, exceeding our knowledge*, and (I Cor. xiii, 9): *We know in part.*

Therefore all that is said about God, though it cannot be investigated by reason, must not be forthwith rejected as false, as the Manicheans and many unbelievers have thought.

CHAPTER IV: THAT THE TRUTH ABOUT DIVINE THINGS WHICH IS ATTAINABLE BY REASON IS FITTINGLY PROPOSED TO MAN AS AN OBJECT OF BELIEF

While then the truth of the intelligible things of God is twofold, one to which the inquiry of reason can attain, the other which surpasses the whole range of human reason, both are fittingly proposed by God to man as an object of belief. We must first show this with regard to that truth which is attainable by the inquiry of reason, lest it appears to some, that since it can be attained by reason, it was useless to make it an object of faith by supernatural inspiration. Now three disadvantages would result if this truth were left solely to the inquiry of reason. One is that few men would have knowledge of God: because very many are hindered from gathering the fruit of diligent inquiry, which is the discovery of truth, for three reasons. Some indeed on account of an indisposition of temperament, by reason of which many are

naturally indisposed to knowledge; so that no efforts of theirs would enable them to reach to the attainment of the highest degree of human knowledge, which consists in knowing God. Some are hindered by the needs of household affairs. For there must needs be among men some that devote themselves to the conduct of temporal affairs, who would be unable to devote so much time to the leisure of contemplative research as to reach the summit of human inquiry, namely the knowledge of God. And some are hindered by laziness. For in order to acquire the knowledge of God in those things which reason is able to investigate, it is necessary to have a previous knowledge of many things: since almost the entire consideration of philosophy is directed to the knowledge of God: for which reason metaphysics, which is about divine things, is the last of the parts of philosophy to be studied. Wherefore it is not possible to arrive at the inquiry about the aforesaid truth except after a most laborious study: and few are willing to take upon themselves this labour for the love of a knowledge, the natural desire for which has nevertheless been instilled into the mind of man by God.

The second disadvantage is that those who would arrive at the discovery of the aforesaid truth would scarcely succeed in doing so after a long time. First, because this truth is so profound, that it is only after long practice that the human intellect is enabled to grasp it by means of reason. Secondly, because many things are required beforehand, as stated above. Thirdly, because at the time of youth, the mind, when tossed about by the various movements of the passions, is not fit for the knowledge of so sublime a truth, whereas *calm gives prudence and knowledge*, as stated in 7 *Phys.* Hence mankind would remain in the deepest darkness of ignorance, if the path of reason were the only available way to the knowledge of God: because the knowledge of God which especially makes men perfect and good, would be acquired only by the few, and by these only after a long time.

The third disadvantage is that much falsehood is mingled with the investigations of human reason, on account of the weakness of our intellect in forming its judgments, and by reason of the admixture of phantasms. Consequently many would remain in doubt about those things even which are most truly demonstrated, through ignoring the force of the demonstration: especially when they perceive that different things are taught by the various men who are called wise. Moreover among the many demonstrated truths, there is sometimes a mixture of falsehood that is not demonstrated, but assumed for some probable or sophistical reason which at times is mistaken for a demonstration. Therefore it was necessary that definite certainty and pure truth about divine things should be offered to man by the way of faith.

Accordingly the divine clemency has made this salutary commandment,

that even some things which reason is able to investigate must be held by faith: so that all may share in the knowledge of God easily, and without doubt or error.

Hence it is written (Eph. iv, 17, 18): That *henceforward you walk not as also the Gentiles walk in the vanity of their mind, having their understanding darkened*: and (Isa. liv, 13): *All thy children shall be taught of the Lord*.

CHAPTER V: THAT THOSE THINGS WHICH CANNOT BE INVESTIGATED BY REASON ARE FITTINGLY PROPOSED TO MAN AS AN OBJECT OF FAITH

It may appear to some that those things which cannot be investigated by reason ought not to be proposed to man as an object of faith: because divine wisdom provides for each thing according to the mode of its nature. We must therefore prove that it is necessary also for those things which surpass reason to be proposed by God to man as an object of faith.

For no man tends to do a thing by his desire and endeavour unless it be previously known to him. Wherefore since man is directed by divine providence to a higher good than human frailty can attain in the present life, as we shall show in the sequel, it was necessary for his mind to be bidden to something higher than those things to which our reason can reach in the present life, so that he might learn to aspire, and by his endeavours to tend to something surpassing the whole state of the present life. And this is especially competent to the Christian religion, which alone promises goods spiritual and eternal: for which reason it proposes many things surpassing the thought of man: whereas the old law which contained promises of temporal things, proposed few things that are above human inquiry. It was with this motive that the philosophers, in order to wean men from sensible pleasures to virtue, took care to show that there are other goods of greater account than those which appeal to the senses, the taste of which things affords much greater delight to those who devote themselves to active or contemplative virtues.

Again it is necessary for this truth to be proposed to man as an object of faith in order that he may have truer knowledge of God. For then alone do we know God truly, when we believe that He is far above all that man can possibly think of God, because the divine essence surpasses man's natural knowledge, as stated above. Hence by the fact that certain things about God are proposed to man, which surpass his reason, he is strengthened in his opinion that God is far above what he is able to think.

There results also another advantage from this, namely, the checking of presumption which is the mother of error. For some there are who presume so far on their wits that they think themselves capable of measuring the whole nature of things by their intellect, in that they esteem all things true which they

see, and false which they see not. Accordingly, in order that man's mind might be freed from this presumption, and seek the truth humbly, it was necessary that certain things far surpassing his intellect should be proposed to man by God.

Yet another advantage is made apparent by the words of the Philosopher (10 *Ethic.*). For when a certain Simonides maintained that man should neglect the knowledge of God, and apply his mind to human affairs, and declared that *a man ought to relish human things, and a mortal, mortal things*: the Philosopher contradicted him, saying that *a man ought to devote himself to immortal and divine things as much as he can*. Hence he says (11 *De Animal.*) that though it is but little that we perceive of higher substances, yet that little is more loved and desired than all the knowledge we have of lower substances. He says also (2 *De Caelo et Mundo*) that when questions about the heavenly bodies can be answered by a short and probable solution, it happens that the hearer is very much rejoiced. All this shows that however imperfect the knowledge of the highest things may be, it bestows very great perfection on the soul: and consequently, although human reason is unable to grasp fully things that are above reason, it nevertheless acquires much perfection, if at least it hold things, in any way whatever, by faith.

Wherefore it is written. . . . *Many things are shown to thee above the understanding of men*, and (I Cor. ii, 10, 11): *The things . . . that are of God no man knoweth, but the Spirit of God: but to us God hath revealed them by His Spirit.*

CHAPTER VI: THAT IT IS NOT A MARK OF LEVITY TO ASSENT TO THE THINGS THAT ARE OF FAITH, ALTHOUGH THEY ARE ABOVE REASON

Now those who believe this truth, of *which reason affords a proof*, believe not lightly, as though *following foolish fables* (II Pet. i, 16). For divine Wisdom Himself, Who knows all things most fully, deigned to reveal to man *the secrets of God's wisdom*: and by suitable arguments proves His presence, and the truth of His doctrine and inspiration by performing works surpassing the capability of the whole of nature, namely, the wondrous healing of the sick, the raising of the dead to life, a marvellous control over the heavenly bodies, and what excites yet more wonder, the inspiration of human minds, so that unlettered and simple persons are filled with the Holy Ghost, and in one instant are endowed with the most sublime wisdom and eloquence. And after considering these arguments, convinced by the strength of the proof, and not by the force of arms, nor by the promise of delights, but—and this is the greatest marvel of all—amidst the tyranny of persecutions, a countless crowd of not only simple but also of the wisest men, embraced the Christian

faith, which inculcates things surpassing all human understanding, curbs the pleasures of the flesh, and teaches contempt of all worldly things. That the minds of mortal beings should assent to such things, is both the greatest of miracles, and the evident work of divine inspiration, seeing that they despise visible things and desire only those that are invisible. And that this happened not suddenly nor by chance, but by the disposition of God, is shown by the fact that God foretold that He would do so by the manifold oracles of the prophets, whose books we hold in veneration as bearing witness to our faith. This particular kind of proof is alluded to in the words of Heb. ii, 3, 4: *Which, namely the salvation of mankind, having begun to be declared by the Lord, was confirmed with us by them that heard Him, God also bearing witness by signs and wonders, and divers . . . distributions of the Holy Ghost.*

Now such a wondrous conversion of the world to the Christian faith is a most indubitable proof that such signs did take place, so that there is no need to repeat them, seeing that there is evidence of them in their result. For it would be the most wondrous sign of all if without any wondrous signs the world were persuaded by simple and lowly men to believe things so arduous, to accomplish things so difficult, and to hope for things so sublime. Although God ceases not even in our time to work miracles through His saints in confirmation of the faith.

On the other hand those who introduced the errors of the sects proceeded in contrary fashion, as instanced by Mohammed, who enticed peoples with the promise of carnal pleasures, to the desire of which the concupiscence of the flesh instigates. He also delivered commandments in keeping with his promises, by giving the reins to carnal pleasure, wherein it is easy for carnal men to obey: and the lessons of truth which he inculcated were only such as can be easily known to any man of average wisdom by his natural powers: yea rather the truths which he taught were mingled by him with many fables and most false doctrines. Nor did he add any signs of supernatural agency, which alone are a fitting witness to divine inspiration, since a visible work that can be from God alone, proves the teacher of truth to be invisibly inspired: but he asserted that he was sent in the power of arms, a sign that is not lacking even to robbers and tyrants. Again, those who believed in him from the outset were not wise men practised in things divine and human, but beastlike men who dwelt in the wilds, utterly ignorant of all divine teaching; and it was by a multitude of such men and the force of arms that he compelled others to submit to his law.

Lastly, no divine oracles of prophets in a previous age bore witness to him; rather did he corrupt almost all the teaching of the Old and New Testaments by a narrative replete with fables, as one may see by a perusal of his law. Hence by a cunning device, he did not commit the reading of the Old and New

Testament Books to his followers, lest he should thereby be convicted of falsehood. Thus it is evident that those who believe his words believe lightly.

CHAPTER VII: THAT THE TRUTH OF REASON IS NOT IN OPPOSITION TO THE TRUTH OF THE CHRISTIAN FAITH

Now though the aforesaid truth of the Christian faith surpasses the ability of human reason, nevertheless those things which are naturally instilled in human reason cannot be opposed to this truth. For it is clear that those things which are implanted in reason by nature, are most true, so much so that it is impossible to think them to be false. Nor is it lawful to deem false that which is held by faith, since it is so evidently confirmed by God. Seeing then that the false alone is opposed to the true, as evidently appears if we examine their definitions, it is impossible for the aforesaid truth of faith to be contrary to those principles which reason knows naturally.

Again. The same thing which the disciple's mind receives from its teacher is contained in the knowledge of the teacher, unless he teach insincerely, which it were wicked to say of God. Now the knowledge of naturally known principles is instilled into us by God, since God Himself is the author of our nature. Therefore the divine Wisdom also contains these principles. Consequently whatever is contrary to these principles, is contrary to the divine Wisdom; wherefore it cannot be from God. Therefore those things which are received by faith from divine revelation cannot be contrary to our natural knowledge.

Moreover. Our intellect is stayed by contrary arguments, so that it cannot advance to the knowledge of truth. Wherefore if conflicting knowledges were instilled into us by God, our intellect would thereby be hindered from knowing the truth. And this cannot be ascribed to God.

Furthermore. Things that are natural are unchangeable so long as nature remains. Now contrary opinions cannot be together in the same subject. Therefore God does not instil into man any opinion or belief contrary to natural knowledge.

Hence the Apostle says (Rom. x, 8) : *The word is nigh thee even in thy heart and in thy mouth. This is the word of faith which we preach.* Yet because it surpasses reason some look upon it as though it were contrary thereto; which is impossible.

This is confirmed also by the authority of Augustine who says (*Gen. ad. lit. ii*) : *That which truth shall make known can nowise be in opposition to the holy books whether of the Old or of the New Testament.*

From this we may evidently conclude that whatever arguments are alleged against the teachings of faith, they do not rightly proceed from the first self-evident principles instilled by nature. Wherefore they lack the force of demon-

stration, and are either probable or sophistical arguments, and consequently it is possible to solve them.

CHAPTER VIII: IN WHAT RELATION HUMAN REASON STANDS TO THE TRUTH OF FAITH

It would also seem well to observe that sensible things from which human reason derives the source of its knowledge, retain a certain trace of likeness to God, but so imperfect that it proves altogether inadequate to manifest the substance itself of God. For effects resemble their causes according to their own mode, since like action proceeds from like agent; and yet the effect does not always reach to a perfect likeness to the agent. Accordingly human reason is adapted to the knowledge of the truth of faith, which can be known in the highest degree only by those who see the divine substance, in so far as it is able to put together certain probable arguments in support thereof, which nevertheless are insufficient to enable us to understand the aforesaid truth as though it were demonstrated to us or understood by us in itself. And yet however weak these arguments may be, it is useful for the human mind to be practised therein, so long as it does not pride itself on having comprehended or demonstrated; since although our view of the sublimest things is limited and weak, it is most pleasant to be able to catch but a glimpse of them, as appears from what has been said.

The authority of Hilary is in agreement with this statement: for he says (*De Trin.*) while speaking of this same truth: *Begin by believing these things, advance and persevere; and though I know thou wilt not arrive, I shall rejoice at thy advance. For he who devoutly follows in pursuit of the infinite, though he never come up with it, will always advance by setting forth. Yet pry not into that secret, and meddle not in the mystery of the birth of the infinite, nor presume to grasp that which is the summit of understanding: but understand that there are things thou canst not grasp.*

ON THE GOVERNANCE OF RULERS

CHAPTER II: IT IS MORE EXPEDIENT THAT A MULTITUDE OF MEN LIVING TOGETHER BE RULED BY ONE MAN RATHER THAN BY MANY

HAVING SET FORTH . . . preliminary points we must now inquire what is better for a province or a city; whether to be ruled by one man or by many. Now this may be considered from the very purpose of government. For the aim of any ruler should be directed towards securing the welfare of whatever he un-

dertakes to rule. The duty of the pilot, for instance, is to preserve his ship amidst the perils of the sea and to bring it unharmed to the port of safety. Now, the welfare and safety of a multitude formed into a society is the preservation of its unity, which is called peace, and which, if taken away, the benefit of social life is lost and moreover the multitude in its disagreement becomes a burden to itself. The chief concern of the ruler of a multitude, therefore, should be to procure the unity of peace: and it is not legitimate for him to deliberate whether he shall establish peace in the multitude subject to him, just as a physician does not deliberate whether he shall heal the sick man encharged to him. For no one should deliberate about an end which he is obliged to seek, but only about the means to attain that end. Wherefore, the Apostle, having commended the unity of the faithful people, says: "Be ye careful to keep the unity of the spirit in the bond of peace."¹ The more efficacious, therefore, a government is in keeping the unity of peace, the more useful it will be. For we call that more useful which leads the better to the end. Now it is manifest that what is itself one can more efficaciously bring about unity than several: just as the most efficacious cause of heat is that which is by its nature hot. Therefore the rule of one man is more useful than the rule of many.

Furthermore, it is evident that several persons could by no means keep a multitude from harm (*conservant*) if they totally disagreed. For a certain union is necessary among them if they are to rule at all: several men, for instance, could not pull a ship in one direction unless joined together in some fashion. Now several are said to be united according as they come closer to being one. So one man rules better than several who come near being one.

Again, whatever is in accord with nature is best: for in all things nature does what is best. Now, every natural governance is governance by one. In the multitude of bodily members there is one which moves them all, namely, the heart; and among the powers of the soul one power presides as chief, namely, the reason. Even among bees there is one queen (*rex*) and in the whole universe there is One God, Maker and Ruler of all things. And this is reasonable. For every multitude is derived from unity. Wherefore, artificial things imitate natural things and since a work of art is better according as it attains a closer likeness to what is in nature, it necessarily follows that it is best, in the case of a human multitude, that it be ruled by one person.

This is also evident from experience; for provinces or cities which are not ruled by one person are torn with dissensions and are tossed about without peace so that the complaint seems to be fulfilled which the Lord uttered through the Prophet: "Many pastors have destroyed my vineyard."² But, on the contrary, provinces and cities which are ruled under one king enjoy peace, flourish

¹ Eph. iv, 3.

² Jer. xii, 10.

in justice and delight in prosperity. Hence, the Lord by His prophets promises to His people as a great reward that He will give them one head and that one Prince will be in the midst of them.

CHAPTER V: THAT IN A GOVERNMENT BY MANY, TYRANNICAL GOVERNMENT OCCURS MORE FREQUENTLY THAN IN A GOVERNMENT BY ONE: THEREFORE THE RULE OF ONE MAN IS BETTER

When a choice is to be made between two things from both of which danger impends, that one must by all means be chosen from which the lesser evil follows. Now, lesser evil follows from a monarchy if it be changed into a tyranny, than from the government of several nobles, when it becomes corrupt. For the dissension which commonly follows upon the government of several, runs counter to the good of peace, which is the principal thing in a social group; which good, indeed, is not done away with by a tyranny, unless there be an excess of tyranny which rages against the whole community, but certain goods of particular men are hindered. The rule of one man is therefore to be preferred to the rule of many, although perils follow from both. Further, that from which great dangers may more often follow is, it would seem, the more to be avoided; but the greatest dangers to the multitude follow more frequently from the rule of many than from the rule of one. For, it commonly happens that one out of the many turns from the pursuit of the common good more than does one man ruling alone. Now when any one among several leaders turns aside from the pursuit of the common good, danger of internal dissension threatens the multitude of subjects, because when the chiefs quarrel, the consequence is that dissension in the multitude follows. If, however, one man is in command, he usually, indeed, looks to the common good; or if he turn his attention away from the common good, it does not immediately follow that he turns his attention to the oppression of his subjects, which is an excess of tyranny and holds the highest degree of wickedness in government, as has been shown above. The dangers which arise from the government of many are more to be avoided, therefore, than those which arise from the government of one. Moreover, it happens that the rule of many is changed into a tyranny not less, but perhaps more, frequently than the rule of one. For once dissension arises through the rule of several, it often happens that one triumphs over the others and usurps the government of the multitude for himself alone; and this indeed may be clearly seen from what has come about in such circumstances. For the rule of almost all groups of many has ended in tyranny, as is plainly seen in the Roman Republic. When it had been administered for a long time by several magistrates, dissensions and civil wars arose and it fell into the power of the most cruel tyrants. And, in general, if one carefully considers

what has happened in the past and what is happening in the present, he will discover that more men practised tyranny in lands ruled by many than in those governed by one. If, therefore, kingly rule, which is the best government, seems chiefly to be avoided because of tyranny, and, on the other hand, tyranny is wont to occur not less, but more, in the rule of many than in the rule of one, it follows that it is simply more expedient to live under one king than under the rule of several.

CHAPTER VI: CONCLUSION, THAT THE RULE OF ONE MAN IS SIMPLY THE BEST. IT SHOWS HOW THE MULTITUDE MUST BE DISPOSED IN REGARD TO HIM, BECAUSE THE OPPORTUNITY OF TYRANNIZING MUST BE REMOVED FROM HIM, AND THAT HE SHOULD BE TOLERATED EVEN IN HIS TYRANNY ON ACCOUNT OF THE GREATER EVIL TO BE AVOIDED

Therefore, since the rule of one man, which is the best, is to be preferred, and since it may happen that it be changed into a tyranny, which is the worst, it is clear from what has been said that diligent zeal must be exercised in order that the interests of the multitude be so safeguarded with regard to their king that they may not fall under a tyrant. First it is necessary that the man who is raised up to be king by those to whom this office belongs, should be of such character that it is improbable he should fall into tyranny. Wherefore, Daniel, commending the Providence of God with respect to the establishment of the king says: "The Lord hath sought him a man according to his own heart."³ Then, once the king is established, the government of the kingdom must be so arranged that opportunity to tyrannize be removed. At the same time his power should be so tempered that he cannot easily fall into tyranny. How these things may be done we must consider in what follows. Finally, provision must be made for facing the situation should the king turn aside into tyranny.

Indeed, if there be not an excess of tyranny it is more expedient to tolerate for a while the milder tyranny than, by acting against the tyrant, to be involved in many perils which are more grievous than the tyranny itself. For it may happen that those who act against the tyrant are unable to prevail and the tyrant, thus provoked, rages the more. Even if one should be able to prevail against the tyrant, from this fact itself very grave dissensions among the people frequently ensue: the multitude may be broken up by factions either during their revolt against the tyrant, or, concerning the organization of the government, after the tyrant has been overthrown. It also happens that sometimes, while the multitude is driving out the tyrant by the help of some man, he, having received the power, seizes the tyranny, and fearing to suffer from another what he did to his predecessor, oppresses his subjects with a more grievous

³ I Kings xiii, 14.

slavery. For this is wont to happen in tyranny, namely, that the second becomes more grievous than the one preceding, inasmuch as, without abandoning the previous oppressions, he himself thinks up fresh ones from the malice of his heart: whence, in Syracuse, when there was a time that everybody desired the death of Dionysius, a certain old woman kept constantly praying that he might be unharmed and that he might survive her. When the tyrant learned this he asked why she did it. Then she said, "When I was a girl we had a harsh tyrant and I wished for his death; when he was killed, there succeeded him one who was somewhat harsher: I was very eager to see the end of his dominion also: then we began to have a third ruler still more harsh—that was you. So if you should be taken away a worse would succeed in your place."

Now some have been of opinion that if the excess of tyranny is unbearable, it would be an act of virtue for strong men to slay the tyrant and to expose themselves to dangers of death in order to set the multitude free. An example of this occurs even in the Old Testament. For a certain Aioth (*Aod*) slew Eglon, King of Moab, who was oppressing the people of God under harsh slavery, with the dagger fastened to his thigh; and he was made a judge of the people. But this opinion is not in accord with apostolic teaching. For Peter admonishes us to be reverently subject to our masters, not only to the good and gentle but also to the froward: "For if one who suffers unjustly bear his trouble for conscience sake, this is a grace."⁴ Wherefore, when many Roman emperors tyrannically persecuted the faith of Christ, a great multitude both of the nobility and of the populace was converted to the faith and they were praised, not for resisting, but for patiently and courageously bearing death for Christ. This is plainly manifested in the case of the holy legion of Thebans. Aioth (*Aod*), then, must be considered rather as having slain a foe, than as having assassinated a ruler of the people, though a tyrannical one. Hence even in the Old Testament we read that they who killed Joas, the king of Juda, although he had fallen away from the worship of God, were slain and their children spared according to the precept of the law. It would, moreover, be dangerous both for the multitude and for their rulers if certain persons should attempt on their own private presumption, to kill their governors, even tyrants. For to dangers of this kind, usually the wicked expose themselves more than the good. For the rule of a king, no less than that of a tyrant, is burdensome to the wicked because, according to the words of Solomon,⁵ "A wise king scattereth the wicked." Consequently, by presumption of this kind, danger to the people from the loss of their king would be more imminent than relief through the removal of the tyrant.

⁴ 1 Peter ii, 18, 19.

⁵ Prov. xx, 26.

Furthermore it rather seems, that to proceed against the cruelty of tyrants is an action to be undertaken, not through the private presumption of a few, but by public authority. First of all, if to provide itself with a king belong to the right of any multitude, it is not unjust that the king set up by that multitude be destroyed or his power restricted, if he tyrannically abuse the royal power. It must not be thought that such a multitude is acting unfaithfully in deposing the tyrant, even though it had previously subjected itself to him in perpetuity; because he himself has deserved that the covenant with his subjects should not be kept, since, in ruling the multitude, he did not act faithfully as the office of a king demands. Thus did the Romans cast out from the kingship, Tarquin the Proud, whom they had accepted as their king, because of his tyranny and the tyranny of his sons; and they set up in their place a lesser power, namely, the consular power. So too Domitian, who had succeeded those most moderate Emperors, Vespasian, his father, and Titus, his brother, was slain by the Roman senate when he exercised tyranny, and all that he had wickedly done to the Romans, was justly and profitably, by a decree of the senate, declared null and void.

Thus it came about that Blessed John the Evangelist, the beloved disciple of God, who had been exiled to the island of Patmos by that very Domitian, was sent back to Ephesus by a decree of the senate.

If, however, it pertains to the right of some higher authority to provide a king for a certain multitude, a remedy against the wickedness of a tyrant is to be looked for from him. Thus when Archelaus, who had already begun to reign in Judaea in the place of Herod, his father, was imitating his father's wickedness, a complaint against him having been laid before Caesar Augustus by the Jews, his power was, first of all, diminished by depriving him of his title of king and by dividing one half of his kingdom between his two brothers; later, since he was not restrained from tyranny even by this means, Tiberius Caesar sent him into exile in Lyons, a city of Gaul.

Should no human aid whatsoever against a tyrant be forthcoming, recourse must be had to God, the King of all, who is a helper in due time in tribulation. "For, it lies within His power to turn the cruel heart of the tyrant to mildness."⁶ In the words of Solomon:⁷ "The heart of the king is in the hand of the Lord, whithersoever He will He shall turn it." He it was who turned into mildness the cruelty of King Assuerus, who was preparing death for the Jews. He it was who so transformed the cruel king Nabuchodonosor that he became a proclaimer of the divine power. "Therefore," he said, "I, Nabuchodonosor, do now praise and magnify and glorify the King of Heaven: because all his works are true and His ways judgments, and them that walk in pride He is

⁶ Prov. ix, 10.

⁷ Prov. xxi, 1.

able to abase.”⁸ Those tyrants, however, whom he deems unworthy of conversion he is able to put out of the way or reduce them to the lowest degree, according to the words of the Wise Man: “God hath overturned the thrones of proud princes: and hath set up the meek in their stead.” He it was who, seeing the afflicting of his people in Egypt and hearing their cry, hurled the tyrant Pharaoh with his army into the sea. He it was who not only banished from his kingly throne the above mentioned Nabuchodonosor in his former pride, but also cast him from the fellowship of men and changed him into the likeness of a beast. For also His hand is not shortened that He cannot free His people from tyrants. For by Isaias He promises to give his people rest from their labour and trouble and harsh slavery in which they had formerly served; and by Ezechiel He says, “I will deliver my flock from their mouth,”⁹ that is from the mouth of shepherds who feed themselves. But to deserve to secure this benefit from God, the people must desist from sin; because by divine permission wicked men receive power to rule as a punishment for sin, as the Lord says by the Prophet Osee: ¹⁰ “I will give thee a king in my wrath”; and it is said in Job that he “maketh a man that is a hypocrite to reign for the sins of the people.”¹¹ Sin must therefore be done away with that the scourge of tyrants may cease.

CHAPTER VIII: HERE THE DOCTOR DECLARES OF WHAT SORT IS THE TRUE
END OF THE KING, THE END WHICH SHOULD MOVE HIM TO RULE WELL

Therefore, since worldly honour and human glory are not a sufficient reward for royal cares it remains to enquire what sort of reward is sufficient. Now, it is proper that a king look to God for his reward, for a servant looks to his master for the reward of his service. Now, in governing his people a king is the minister of God, as the Apostle says: All power is from the Lord God and God's minister is “an avenger to execute wrath upon him that doth evil”;¹² and in the Book of Wisdom, kings are described as being ministers of God. Consequently, kings ought to look to God for the reward of their ruling. Now, God sometimes rewards kings for their service by temporal goods. But such rewards are common to both the good and the wicked. Wherefore the Lord says: “Nabuchodonosor, king of Babylon, hath made his army to undergo hard service against Tyre . . . and there hath been no reward given him nor his army, for Tyre, for the service he rendered me against it,”¹³ for that service, namely, by which power is the minister of God, according to the Apostle, and the avenger to execute wrath upon him that doth evil: and

⁸ Dan. iv, 34.

¹¹ Job xxxiv, 30.

⁹ Ez. xxxiv, 10.

¹² Rom. xiii, 1, 4.

¹⁰ Hos. xiii, 11.

¹³ Ez. xxix, 18.

afterwards he adds, regarding the reward, "Therefore, thus saith the Lord God: 'I will set Nabuchodonosor the king of Babylon in the land of Egypt, and he shall rifle the spoils thereof . . . and it shall be wages for his army.'" Therefore, if God recompenses wicked kings who fight against the enemies of God, though not with the intention of serving God, but to execute their own hatred and cupidity, by giving them such great rewards as to yield them victory over their foes, to subject kingdoms to their sway and to grant them spoils to rifle, what will he do for good kings who rule the people of God and assail his enemies from a holy motive? He promises them not an earthly reward indeed but an everlasting one and in none other than in Himself, as Peter says, to the shepherds of the people, "Feed the flock of God that is among you and when the prince of pastors shall appear," that is the King of kings, Christ, "you shall receive a neverfading crown of glory,"¹⁴ concerning which Isaias says, "The Lord shall be a crown of glory and a garland of joy to his people."¹⁵

This is also clearly shown by reason. For it is implanted in the minds of all who have the use of reason that the reward of virtue is happiness. The virtue (*virtus*) of anything whatsoever is explained to be that which makes its possessor good and renders his deed good. Moreover, everyone strives by working well to attain that which is most deeply implanted in desire; namely, to be happy. This, no one is able not to will. It is therefore, fitting to expect as a reward for virtue that which makes man happy. Now, if to work well is a virtuous deed and the king's work is to rule his people well, then that which makes him happy will be the king's reward. But what that is has now to be considered.

Happiness we say is the ultimate end of our desires. Now the movement of desire does not go on to infinity, else natural desire would be vain for infinity cannot be traversed. Since, then, the desire of an intellectual nature is for universal good, that good alone can make it truly happy, which, when attained, leaves no further good to be desired. Whence, happiness is called the perfect good inasmuch as it comprises in itself all things desirable. But no earthly good is such a good. For they who have riches desire to have more, and the like is clear for the rest: and if they do not seek more, they at least desire that those they have should abide or that others should follow in their stead, for nothing permanent is found in earthly things. Consequently there is nothing earthly which can calm desire. And so nothing earthly can make man happy, that it may be a fitting reward for a king.

Again, the last perfection and perfect good of anything you choose depends upon something higher, for even bodily things are made better by the addition

¹⁴ I Peter v, 2, 4.

¹⁵ Isa. xiii, 5.

of better things, but worse by being mixed with baser things. For if gold is mingled with silver, the silver is made better, while by an admixture of lead it is rendered impure. Now, it is manifest that all earthly things are beneath the human mind; but happiness is the last perfection and the perfect good of man, which all men desire to reach. Therefore, there is no earthly thing which could make man happy, nor is any earthly thing a sufficient reward for a king. For, as Augustine says,¹⁶ we do not call Christian princes happy merely because they have reigned a long time, or because after a peaceful death they have left their sons to rule or because they subdued the enemies of the state, or because they were able to guard against or to suppress citizens who rose up against them; but we call them happy if they rule justly, if they prefer to rule their passions rather than any nations whatsoever, if they do all things not through the ardour of vain glory but for the love of eternal happiness. Such Christian rulers we say are happy, now in hope, afterwards in very fact when that which we await shall come to pass. But there is not any other created thing which would make a man happy and which could be set up as the reward for a king. For the desire of each thing tends toward its source, whence is the cause of its being. But the cause of the human soul is none other than God who made it to His own image. Therefore, it is God alone Who can still the desires of man and make man happy and be the fitting reward for a king.

Furthermore, the human mind knows universal good through understanding and desires it through will: but universal good is not found except in God. Therefore there is nothing which could make man happy, fulfilling his every desire, but God, of whom it is said in the Psalm, "Who satisfieth thy desire with good things."¹⁷ In this therefore, should the king place his reward. Accordingly King David, with this in mind, said, "What have I in heaven? And besides Thee what do I desire upon earth?"¹⁸ and he afterwards adds in answer to this question, "It is good for me to adhere to my God and to put my hope in the Lord God." For it is He who gives salvation to kings, not merely temporal salvation by which He saves both men and beasts together, but also that salvation of which He says by the mouth of Isaias, "But my salvation shall be for ever," that salvation by which He saves men and makes them equal to the angels. Therefore, it can thus be verified that the reward of the king is honour and glory. But what worldly and frail honour can be likened to this honour that a man be made a citizen and a kinsman of God, numbered among the sons of God and obtain the inheritance of the heavenly kingdom with Christ? This is the honour of which King David in desire and wonder says, "Thy friends, O God, are made exceedingly honourable."¹⁹ And further, what glory of human praise can be compared to this, not uttered by the false

¹⁶ *City of God*, V, 24.

¹⁷ Ps. cii, 5.

¹⁸ Ps. lxxii, 25.

¹⁹ Ps. xvii, 138.

tongue of flatterers nor the fallacious opinion of men, but issuing from the witness of our inmost conscience and confirmed by the testimony of God, who promises to those who confess Him that he will confess them before the Angels of God in the glory of the Father? They who seek this glory will find it and they will win the glory of men which they do not seek; witness Solomon, who not only received from the Lord wisdom which he sought, but was made glorious above other kings.

CHAPTER XII: HE PROCEEDS TO SHOW THE OFFICE OF A KING, WHEREIN ACCORDING TO THE WAYS OF NATURE, HE POINTS OUT THAT THE KING IS IN THE KINGDOM, AS THE SOUL IS IN THE BODY, IN THE SAME MANNER AS GOD IS IN THE UNIVERSE

The next point to be considered is the nature of the kingly office and what sort of man a king must be. Now, because things which are in accordance with art imitate the things which are in accordance with nature (from which, in fact, we must receive in order that we may work according to reason), it appears that the best kingly administration will be one which is patterned after the regime of nature. In things of nature, however, there is found to be both a universal and a particular rulership; universal, by the fact that everything is embraced under the rulership of God, who governs all things by His providence. The particular rulership which is found in man is most like the Divine rulership. For this reason man is called a smaller world, since in him there is found the form of universal rulership. For, just as the universe of corporeal creatures and all spiritual powers come under the Divine government, in like manner are the members of the body and the other powers of the soul controlled by reason, and thus, in a certain proportionate manner, reason is to man what God is to the world. Since man is by nature a social animal living in a group, as we have pointed out above, a likeness of the divine rulership is found in him, not only in this, that a single man is ruled by reason, but also in that a multitude is governed through the reason of one man. This appertains above all to the office of a king, although among certain animals that live socially a likeness of this rulership is to be found. For example, we likewise say there are queens (*reges*) among bees, not that among them rulership is exercised through reason, but through natural instinct implanted in them by the Great Ruler, who is the author of nature. Therefore let the king recognize that such is the office which he undertakes, namely, that he is to be in the kingdom what the soul is in the body, and what God is in the world. If he reflect seriously upon this, from one motive, a zeal for justice will be enkindled in him, when he contemplates that he has been appointed to this position in place of God, to exercise judgment in his kingdom; from another,

he acquires the gentleness of clemency and mildness, when he considers as his own members, those individuals who are subject to his rulership.

CHAPTER XIV: WHAT MANNER OF GOVERNMENT IS POSSIBLE FOR A KING, SEEING THAT IT IMITATES THE DIVINE PROVIDENCE; THIS METHOD OF GOVERNMENT HAD ITS ORIGIN IN THE GUIDANCE OF A SHIP; AND A COMPARISON IS SET UP BETWEEN SACERDOTAL AND ROYAL DOMINION

Just as the founding of a city or a kingdom may suitably be learned from the way the world was created, so too the way to govern may be learned from the governing of the world. Before going into that, however, we should consider that to govern is to bring the thing governed in a suitable way to its proper end. Thus a ship is said to be governed, when, through the skill of the sailor, it is brought by a direct route and unharmed to harbour. Consequently, if anything is ordained to an end outside itself (as a ship to a harbour), it is the governor's duty, not only to preserve the thing unharmed, but further to bring it to its end. If on the contrary, there should be anything whose end is not outside itself, then the governor's endeavours would merely tend to preserve the thing itself undamaged in its proper perfection. Although nothing of this kind is found in the world, except God Himself, Who is the end of all, yet the care of that which is ordained to something outside itself, is hindered by many things and in different ways. For, perhaps, one person may have the duty of preserving a thing in existence, and another the duty of bringing it to a higher state of perfection. This is clearly the case in the example of the ship, from which the idea (*ratio*) of government is derived. For it is the carpenter's duty to repair anything that is broken in the ship, but the sailor bears the anxiety of bringing the ship to port. It is the same with man. The doctor sees to it that a man's life is preserved in health, the tradesman supplies the necessities of life, the teacher takes care that he learns the truth, and the tutor sees that he lives according to reason. If a man were not ordained to any other end outside himself, the above mentioned cares would be sufficient for him.

But as long as a man's mortal life endures there is some good extraneous to him, namely, final beatitude which is looked for after death, in the enjoyment of God, for as the Apostle says: ²⁰ "As long as we are in the body we are far from the Lord." Consequently the Christian man, for whom that beatitude has been purchased by the blood of Christ, and who in order to attain it, has received the earnest of the Holy Ghost, needs an additional spiritual care to direct him to the harbour of eternal salvation, and this care is provided for the faithful by the ministers of the Church of Christ.

²⁰ II Cor. v, 6.

We must form the same judgment about the end of society as a whole as we do concerning the end of one man. If, therefore, the end of man were some good that exists in himself, then the ultimate end of the multitude to be governed would likewise be for the multitude to acquire such good and persevere in its possession. If such an ultimate end either of an individual man or a multitude, were a corporeal one, namely, life and health of body, to govern would then be a physician's charge. If that ultimate end were an abundance of wealth, then some financier would be king of the multitude. If the good of the knowledge of truth were of such a kind that the multitude might attain to it, the king would have the duty of teacher. But it is clear, that the end of any multitude gathered together, is to live virtuously. For, men form groups for the purpose of living well together, a thing which the individual man living alone could not attain. But a good life is a virtuous life. Therefore a virtuous life is the end for which men form groups.

The evidence for this lies in the fact that only those who render mutual assistance to one another in living well truly form part of an assembled multitude. For if men assembled merely to *live*, then animals and serfs would form a part of the civil body. And if men assembled only to acquire wealth, then all those who traded together, would belong to one city. Thus we see that only those are regarded as forming one society who are directed by the same laws and the same government, to live well. Therefore, since man, by living virtuously, is ordained to a higher end, which consists of the enjoyment of God, as we have said above, then human society must have the same end as the individual man. Therefore, it is not the ultimate end of an assembled multitude to live virtuously, but through virtuous living to attain to the possession of God. Furthermore if it could attain this end by the power of human nature, then the duty of a king would have to include the direction of men to this end. We are supposing that he is called "king" to whom the supreme power of governing in human affairs is entrusted. Now the higher the end to which a government is ordained, the loftier is that government; for we always find that the one to whom it pertains to achieve the final end, commands those who execute the things that are ordained to that end. For example, the captain, whose business it is to regulate navigation, tells the man who builds the ship what kind of a ship he must build in order that it be suitable to navigation; and the citizen who bears arms, tells the blacksmith what kind of arms to make. But, because a man does not attain his end which is the possession of God, by human power, but by Divine power, according to the words of the Apostle: "By the grace of God life everlasting,"²¹ therefore the task of leading him to that end does not pertain to human government but to divine.

²¹ Rom. vi, 23.

Consequently, government of this kind pertains to that king who is not only a man, but also God, namely to our Lord Jesus Christ, Who by making men sons of God, brought them to the glory of Heaven.

This then is the government which has been delivered to Him and which shall not be destroyed, on account of which He is called, in Holy Writ, not Priest only, but King, as Jeremias says: "The king shall reign and he shall be wise."²² Hence a royal priesthood is derived from Him, and what is more, all those who believe in Christ, in so far as they are His members, are called kings and priests. Consequently, in order that spiritual things might be distinguished from earthly things, the ministry of this kingdom has been entrusted not to earthly kings, but to priests, and in the highest degree to the chief priest, the successor of St. Peter, the Vicar of Christ, the Roman Pontiff, to whom all the kings of Christian peoples are to be subject as to our Lord Jesus Christ Himself. For those to whom pertains the care of intermediate ends should be subject to him to whom pertains the care of the ultimate end, and be directed by his rule. Because the priesthood of the gentiles, and the whole worship of their Gods existed merely for the acquisition of temporal goods (which were all ordained to the common good of the multitude, whose care devolved upon a king), the priests of the gentiles were very properly subject to the kings. Similarly, because in the old law earthly goods were promised to a religious people (not indeed by demons but by the true God), the priests of the old law, we read, were also subject to the kings. But in the new law there is a higher priesthood by which men are guided to heavenly goods. Consequently in the law of Christ, kings must be subject to priests.

Therefore, it was a marvelous effect of Divine Providence that in the city of Rome, which God had foreseen would be the principal seat of the Christian people, the custom was gradually established that the rulers of the city should be subject to the priests, for as Valerius Maximus relates: "Our City has always considered that everything should yield precedence to religion, even those things in which it aimed to display the splendor of supreme majesty. Wherefore our governments did not hesitate to minister to religion, considering that they would thus hold control of human affairs if they faithfully and constantly were submissive to divine authority." Because it was to come to pass that the religion of the Christian priesthood should especially thrive in France, God permitted that among the Gauls too, their tribal priests, called Druids, should lay down the law of all Gaul, as Julius Caesar relates in the book which he wrote about the Gallic war.²³

²² Jer. xxiii, 5.

²³ De Bello Gallico, VI, 13.

CHAPTER XV: . . . HERE WE NOTE THOSE THINGS WHICH DISPOSE TOWARDS
A PROPER LIFE, AND THOSE WHICH HINDER, AND ALSO THE REMEDY WHICH
THE KING MUST APPLY AGAINST THESE HINDRANCES

. . . For an individual man to lead a good life two things are required. The first and most important is to act in a virtuous manner (for virtue is that by which one lives well); the second, which is secondary, and, as it were, instrumental, is a sufficiency of those bodily goods whose use is necessary for an act of virtue. Yet the unity of man is brought about by nature, while the unity of a society, which we call peace, must be procured through the efforts of the ruler. Therefore, to establish virtuous living in a multitude three things are necessary. First of all, that the multitude be established in the unity of peace. Second, that the multitude thus united in the bond of peace, be guided to good deeds. For just as a man can do nothing well unless unity within his members be presupposed, so a multitude of men which lacks the unity of peace, is hindered from virtuous action, by the fact that it fights against its very existence as a group. In the third place, it is necessary that there be at hand a sufficient supply of the things required for proper living, procured by the ruler's efforts. Then, when virtuous living is set up in society by the efforts of the king, it remains for him to look to its conservation.

Now there are three things which prevent permanence in public virtue. One of these arises from nature. For the good of society should not be established for one time only; it should be in a sense perpetual. Men, on the other hand, cannot abide forever because they are mortal. Even while they are alive they do not always preserve the same vigor, for the life of man is subject to many changes. So a man is not equally suited to the performance of the same duties throughout the whole span of his life. A second impediment to the preservation of public good which comes from within, consists in the perversity of the wills of man, inasmuch as they are either too lazy to perform what the state demands, or, still further, they are harmful to the peace of society, because, by transgressing justice, they disturb the peace of their neighbors. The third hindrance to the preservation of the state comes from without, namely, when peace is destroyed through the attacks of enemies, or, as it sometimes happens, the kingdom or city is completely blotted out. In regard to these three dangers, a triple charge is laid upon the king. First of all, he must take care of the appointment of men to succeed or replace others in charge of the various offices, just as, by the providence of God, provision is made for the succession and replacement of corruptible things, which cannot last forever the same, by the generation of things to take their place. Thus just as the integrity of the universe is maintained so too, the good of the multitude subject to the king

will be maintained by his care, provided he carefully attend to the appointment of new men to fill the place of those who drop out. In the second place, by his law and orders, punishments and rewards, he restrains the men subject to him from wickedness, and encourages them to works of virtue, following the example of God, Who gave His law to man and requites those who observe it with rewards, and those who transgress it with punishments. The king's third charge is to keep the multitude entrusted to him safe from the enemy. For it would be useless to prevent internal dangers if the multitude could not be defended against external dangers.

So, for the proper direction of the multitude, there remains the third duty of the kingly office, namely, that he be solicitous for its improvement. He performs this duty when, in each of the things we have mentioned, he corrects what is out of order, and supplies what is lacking, and, if any of them can be done better he tries to do it. This is why the Apostle²⁴ exhorts the faithful to be zealous for the better gifts. These then are the duties of the kingly office, each of which must now be treated in greater detail.

²⁴ I Cor. xii, 31.

PAPAL REVENUES

THE EVER-PRESENT discrepancy between theory and practice is a serious obstacle to determining who governed Europe in the Middle Ages. One way to distinguish between what men said and what they actually did is to examine the functioning of the administrative, financial, and judicial machinery then in operation. In the case of the Roman Catholic Church the records having to do with papal revenues in the Middle Ages furnish such an opportunity for study, and thereby serve as a rough index of the Church's political and economic power.

The development of the financial institutions of the papacy was probably influenced by Roman administrative practices, but there is also a similarity to the later evolution of the bureaucracies of national states out of the households of their kings. For a long time the papal treasury seems to have been associated with the wardrobe of the pope, where not only clothing but also money and account books were kept. By the eleventh century the financial administration was called the *camera* (chamber), and from late in the twelfth century to the end of the Middle Ages this important department was entrusted to an official called the *camerarius*. The *camerarius* became a virtual minister of finance, possessing, in addition to his regular duties, extensive judicial powers. His position was especially prominent in the fourteenth century, because of the large increase of papal revenues from parts of Europe outside the States of the Church. Thereafter his office ceased to gain in international importance and became increasingly concerned with the affairs of the pope's Italian state.

Until the eighth century the Church's income, except for gifts, consisted chiefly of the rents and dues from its own extensive estates. In the eighth century the popes began to collect taxes as temporal rulers of the States of the Church, but the coming of feudalism late in the ninth century checked for a time the tendency of the Church toward administrative and fiscal centralization, a tendency which was later revived, especially by Innocent III (1198-1216). The revenues of the pope as head of the universal church—as distinguished from those of the Papal States—developed slowly. In some parts of Europe monasteries seeking the protection of St. Peter paid a fee as early as the eighth century, but not until the eleventh century did any great number of lay lords acknowledge their dependence by paying tribute to Rome. At first such payments were sent by messengers, except when papal envoys were in the neighborhood on other business, but as the Church's income from outside of Italy increased there developed (by the end of the fourteenth century) a more or less uniform organization of "apostolic collectors," responsible to the *camerarius* at Rome. By virtue of the money in their possession these collectors were able to perform some of the functions of bankers, for example, the payment of local debts to persons presenting the proper certificates from the pope. In 1373 it was found necessary to forbid the lending of money by collectors. Transfer of papal revenues to Rome was for a long time facilitated by the presence in many parts of Europe of the great organization of Knights Templars. From the thirteenth cen-

tury to the end of the Middle Ages, however, merchants and bankers, chiefly Italian, played an increasingly important role in the handling of papal finances.

It is hoped that the following selections will give a firsthand impression of the far-flung institutional organization of the medieval church. They are taken from William E. Lunt's *Papal Revenues in the Middle Ages* (2 vols., New York, Columbia University Press, "Records of Civilization Series," 1934).



*REPORTS RENDERED BY THE COLLECTORS IN
ENGLAND OF THE TENTH IMPOSED BY
THE COUNCIL OF LYONS IN 1274*

. . . TO THE MOST SACRED COLLEGE OF CARDINALS Master Arditio, dean of Milan, and chaplain of the apostolic see, and Brother John of Darlington of the order of Preachers, deputed collectors of the tenth in the kingdom of England, prompt and due good wishes that you may govern felicitously the household and ship of St. Peter.

Earnestly seeking to bear most devotedly the yoke imposed upon us by the holy apostolic see with regard to collecting in the kingdom of England the tenth appointed in aid of the Holy Land and to employ due solicitude about those things which pertain to the favorable progress of that pious business, we caused to be read publicly and to be introduced before many prelates and secular and regular clerks of London, called together by us for the purpose in the church of the New Temple, the letters of Lord Pope John XXI of happy memory, while the aforesaid pope was still living, and a copy of them to be shown to those wishing, and we took an oath according to the contents of those letters, and we directed our letters to each of the collectors appointed throughout the kingdom of England, urging them earnestly to execute carefully the function of collecting that tenth, in which we specified the method of exacting that tenth according to the content of the apostolic letters.

Afterward, indeed, we carried out diligently the apostolic mandate enjoined upon us that we should pay a half of the tenth of the first year collected in the kingdom of England to eight societies of merchants divided equally among them, except that we have caused to be retained the part belonging to the absent society of the Clarentini of Pistoia until a legitimate receiver shall have appeared for it, and we intend to exact the remainder of the money not yet exacted of the tenth of the aforesaid first year on various occasions, as quickly as possible, and to divide it equally among the said eight societies like the said sum collected, unless it shall have been declared to us otherwise by the

said see. And it is certain that each society of the said eight societies received from the receipts of the said tenth skilfully computed 1,411 marks 13 shillings and 1 penny, except the said society of the Clarentini which, as is said above, was absent. The reading of the said acts in the series of public documents which we have directed to the said see will inform that see more fully.

Afterward we, wishing to travel about the kingdom of England according to the form of the apostolic mandate, were advised pressingly by the king and prelates of England and also informed by a certain excusatory protestation that, since the aforesaid king would direct his steps with a magnificent huge army against Llewelyn, prince of Wales, and on account of this he and most of his barons would be absent from the kingdom of England, it would not be safe for us to go through the kingdom of England on account of robbers banding themselves together in ambushes in various places and that we ought not to attempt to go through that kingdom before the return of the lord king; and also that the deposits of the money of the tenth made in divers places in England, which are not safe at present on account of the aforesaid cause, we ought to transfer quickly to the societies of the merchants of Italy for the security of the tenth. Which counsel and advice, indeed, as much as was in us, we have caused to be carried out faithfully, lest, if it should be done otherwise, what once happened even in the New Temple at London, where the deposits were violated, could be attributed to us, so that the said merchants seek at their expense the money wherever it shall have been deposited less safely, and keep what they have sought at their peril and restore the custody without delay at our or the apostolic mandate, whenever it shall be desired, as is contained more clearly in their obligations which we have with us concerning this.

For this we notify the said see that in England the tenth is paid very badly by many greater and less, and ecclesiastical discipline is esteemed with contemptible cheapness. For there remains very much of the tenth of the first year to be paid, and much more of the tenth of the second year, and beyond measure more, even more than a half as we believe, of the tenth of the third year. And this partly on account of the changes of the principal collectors, partly on account of the various mandates about the method of exacting and collecting, partly on account of the sad deaths of the highest pontiffs wherefore now those seeking an occasion to escape payment do not fear to assert themselves not to be held to pay the tenth on account of the death of the pope, partly, moreover, on account of the hardness of many holding in contempt the keys of the church who fear neither suspensions, nor excommunications, nor interdicts, nor irregularities, but seek subterfuges by means of which they may pay the above-said tenth only in part or not at all. Nor do we see how remedy

can be had in this respect except by the invocation of the secular arm, by which means the said tenth may be wrested from such, just as the lord of Verdun began to do, or by the privation of benefices, which the highest fear, wherefore, before it should proceed to the execution, they may perchance give satisfaction from the threat alone, as they ought. . . .

*PAPAL DEMAND FOR THE PAYMENT OF THE
ENGLISH TRIBUTE WITH A THREAT OF
INTERDICT, 26 SEPTEMBER 1262*

[URBAN IV] TO BROTHER JOHN OF KENT of the order of Friars Minors.

If our dearest son in Christ, the illustrious king of England, pays promptly what he owes, he will acquire grace deservedly and the royal highness will deserve to be commended affectionately. Since, therefore, an annual census of 1,000 marks of sterlings is owed by him to the sacrosanct Roman church, and now there will have been a cessation of the payment of it for three years reckoned at the next festival of Michaelmas, we have caused that king by our letters patent to be required and to be asked with paternal affection that, with any obstacle of difficulty removed, with prompt willingness, he pay that census for the aforesaid time to you in the name of us and the aforesaid church. Wherefore, ordering your discretion strictly in virtue of obedience, we command by apostolic writings that, when our letters which we direct to the said king about this have been received, you do not delay the presentation of them to him, and warn him seriously and persuade him that he pay that census in full for the aforesaid term, within a reasonable time which you cause to be fixed peremptorily for him, to you in behalf of us and that church. Otherwise do you place his chapel under ecclesiastical interdict, notwithstanding that it may have been granted by the apostolic see to the said king, that his chapel may not be interdicted by letters of that see not making full and express and verbatim mention of that indult.

Moreover, all money which you may receive from the census, do you take care to assign with due precaution to Rayner Bonaccursi, colleague of the beloved sons, Bonaventura Bernardini and Francesco Guido, citizens and merchants of Siena, or to his proctor. What and how much you have assigned to him, the day of assignment, and whatever you have done therein, do you write faithfully to us in your letters containing the tenor of the present.

*PAPAL GRANT OF A DELAY IN THE PAYMENT OF
ARREARS DUE ON THE TRIBUTE OF THE
KINGDOM OF SICILY, 29 JUNE 1301*

TO THE DEAREST SON IN CHRIST, CHARLES, illustrious king of Sicily.

For the census of 8,000 ounces of gold at the general weight of the kingdom of Sicily owed each year by you to the Roman church, according to the computation recently made formally by the officials of our camera with your officials specially appointed for this purpose, you are bound to that church for the past time during which the payment of that census has ceased up to the festival of the apostles Peter and Paul last past, which was in the year of the Lord 1300, in 85,340 ounces of gold at the general weight of the said kingdom. You were not able to pay that 85,340 ounces at that past festival conveniently, nor even can you pay them at the present festival of those apostles, which is today, the date of the present, in the year of the Lord 1301, nor do you believe you can pay on account of the din of wars and the revilings of enemies which you ought to resist and whom you ought to repel for the necessary defense of that kingdom, and on account of the varied and diverse affairs incumbent upon you, as well as the heavy burdens of expenses which you have borne and are compelled to bear. We were, therefore, humbly petitioned by you that we would deem worthy kindly to grant a delay of all payments of the aforesaid 85,340 ounces of gold at the aforesaid weight up to the next festival of the aforesaid apostles, which will be in the year of the Lord 1302. We, therefore, aware of these your hindrances and not ignorant of your burdens, and sympathizing with you about these things with paternal affection, and wishing to show you special favor, moved by your petitions, grant to you out of favor, with the counsel and assent of our brothers, a delay of the payment of the aforesaid 85,340 ounces of gold of that census up to the specified next festival of the aforesaid apostles. We add, however, that, by the petition and concession of this delay, the conventions and conditions had between the said church and Charles, king of Sicily, your father of famous memory, and you, are subject to absolutely no change and suffer no loss or diminution, but remain always in force. We will also that, if you should ratify your aforesaid petition and our delay, you take care to send to us about this your letters patent containing the text of these, fortified with a golden bull, for the security of that Roman church, within the kalends of the next month of October. Otherwise, the said delay would forthwith be of no strength or value. However, concerning the census of 8,000 ounces of gold owed to us and the same church for the term, which is

ended on this day of that festival of the date of the present in the present year of the Lord 1301, we and that church have been satisfied legitimately, as is contained more clearly and distinctly in our other letters patent granted to you about this for your protection.

CHURCH AND STATE

THE BATTLE FOR SUPREMACY between popes and temporal monarchs was perhaps inevitable in an age in which monarchs not only were interested in religious matters but had a large number of ecclesiastic vassals and also held temporal power in Italy and, through the ecclesiastical hierarchy, the other lands of central and western Europe. The extreme secular position in this battle maintained the right of the emperor to a voice in the election of popes and to appoint bishops and other ecclesiastical lords through the ceremony of investiture. The extreme clerical position maintained the right of the pope to name emperors and other lay rulers.

The dramatic struggle over investiture, which produced the celebrated pilgrimage to Canossa of German Emperor Henry IV in 1077 to seek absolution from the great Pope Gregory VII, was settled by the Concordat of Worms, in 1122, in what was, substantially, a victory for the papacy. It provided for ecclesiastical investiture of bishops in their religious authority and secular investiture of bishops in their temporal authority as feudal vassals. But the battle for control continued and gradually became a contest for world supremacy in the political field. The papacy seemed almost to have achieved triumph under Innocent III (1198-1216); his voice was heard in royal councils, and to him King John Lackland gave England, holding his kingdom as the pope's vassal. But the underlying trend toward secularization continued, undermining the prestige of the Church. It was dramatized by the struggle between Pope Boniface VIII (1294-1303) and King Philip the Fair of France (1285-1314). The king brought a bishop to trial before a lay court, and the pope, after several skirmishes, issued the bull *Unam Sanctam* (1302). Philip replied by having the pope seized at Anagni; Boniface was soon released, but died soon thereafter. With his successor, Clement V, began the papal residence at Avignon, under the domination of the French kings, that lasted till 1377.

If *Unam Sanctam* brings out the papal position in a late phase of this struggle for control, *Licet Juris* (1338), the enactment of the electors of the Holy Roman Empire, is a statement of the secular position in the last great struggle for supremacy between pope and German emperor. Emperor Louis, of the house of Wittelsbach (1314-47), clashed with Pope Benedict XII (1334-42) on many issues, including the emperor's support of the English against the French. When the pope summoned the emperor to renounce his rights and title, the German electors replied with *Licet Juris*.

In his campaign against the pope, Louis gave sanctuary to Marsiglio of Padua, who, with John of Jandun, had in 1324 written a notable work, *Defensor Pacis* (*The Defender of the Peace*). This book affirms the doctrine of popular sovereignty, in which the pope is merely a delegate of the Christian community and the emperor another delegate mainly concerned with preserving peace and order.

The following selections, originally in Latin, are taken from E. F. Henderson, *Select Historical Documents of the Middle Ages* (London, George Bell and Sons, 1896).



THE BULL "UNAM SANCTAM"

WE ARE COMPELLED, our faith urging us, to believe and to hold—and we do firmly believe and simply confess—that there is one holy catholic and apostolic church, outside of which there is neither salvation nor remission of sins; her Spouse proclaiming it in the canticles: "My dove, my undefiled is but one, she is the choice one of her that bare her"; which represents one mystic body, of which body the head is Christ; but of Christ, God. In this church there is one Lord, one faith and one baptism. There was one ark of Noah, indeed, at the time of the flood, symbolizing one church; and this being finished in one cubit had, namely, one Noah as helmsman and commander. And, with the exception of this ark, all things existing upon the earth were, as we read, destroyed. This church, moreover, we venerate as the only one, the Lord saying through His prophet: "Deliver my soul from the sword, my darling from the power of the dog." He prayed at the same time for His soul—that is, for Himself the Head—and for His body,—which body, namely, he called the one and only church on account of the unity of faith promised, of the sacraments, and of the love of the church. She is that seamless garment of the Lord which was not cut but which fell by lot. Therefore of this one and only church there is one body and one head—not two heads as if it were a monster:—Christ, namely, and the vicar of Christ, St. Peter, and the successor of Peter. For the Lord Himself said to Peter, Feed my sheep. My sheep, He said, using a general term, and not designating these or those particular sheep; from which it is plain that He committed to him *all* His sheep. If, then, the Greeks or others say that they were not committed to the care of Peter and his successors, they necessarily confess that they are not of the sheep of Christ; for the Lord says, in John, that there is one fold, one shepherd and one only. We are told by the word of the gospel that in this His fold there are two swords,—a spiritual, namely, and a temporal. For when the apostles said "Behold here are two swords"—when, namely, the apostles were speaking in the church—the Lord did not reply that this was too much, but enough. Surely he who denies that the temporal sword is in the power of Peter wrongly interprets the word of the Lord when He says: "Put up thy sword in its scabbard." Both swords, the spiritual and the material, therefore, are in the power of the church; the one, indeed, to be wielded for the church, the other by the church; the one by the hand of the priest, the other by the hand of kings and knights, but at the will

and sufferance of the priest. One sword, moreover, ought to be under the other, and the temporal authority to be subjected to the spiritual. For when the apostle says "there is no power but of God, and the powers that are of God are ordained," they would not be ordained unless sword were under sword and the lesser one, as it were, were led by the other to great deeds. For according to St. Dionysius the law of divinity is to lead the lowest through the intermediate to the highest things. Not therefore, according to the law of the universe, are all things reduced to order equally and immediately; but the lowest through the intermediate, the intermediate through the higher. But that the spiritual exceeds any earthly power in dignity and nobility we ought the more openly to confess the more spiritual things excel temporal ones. This also is made plain to our eyes from the giving of tithes, and the benediction and the sanctification; from the acceptation of this same power, from the control over those same things. For, the truth bearing witness, the spiritual power has to establish the earthly power, and to judge it if it be not good. Thus concerning the church and the ecclesiastical power is verified the prophecy of Jeremiah: "See, I have this day set thee over the nations and over the kingdoms," and the other things which follow. Therefore if the earthly power err it shall be judged by the spiritual power; but if the lesser spiritual power err, by the greater. But if the greatest, it can be judged by God alone, not by man, the apostle bearing witness. A spiritual man judges all things, but he himself is judged by no one. This authority, moreover, even though it is given to man and exercised through man, is not human but rather divine, being given by divine lips to Peter and founded on a rock for him and his successors through Christ himself whom he has confessed; the Lord himself saying to Peter: "Whatsoever thou shalt bind," etc. Whoever, therefore, resists this power thus ordained by God, resists the ordination of God, unless he makes believe, like the Manichean, that there are two beginnings. This we consider false and heretical, since by the testimony of Moses, not "in the beginnings," but "in the beginning" God created the Heavens and the earth. *Indeed we declare, announce and define, that it is altogether necessary to salvation for every human creature to be subject to the Roman pontiff.* The Lateran, Nov. 14, in our 8th year. As a perpetual memorial of this matter.

THE LAW "LICET JURIS"

ALTHOUGH THE PROOFS of both kinds of law (civil and canon) manifestly declare that the imperial dignity and power proceeded from of old directly through the Son of God, and that God openly gave laws to the human race

through the emperor and the kings of the world; and since the emperor is made true emperor by the election alone of those to whom it pertains, and needs not the confirmation or approbation of any one else, since on earth he has no superior as to temporal things, but to him peoples and nations are subject, and our Lord Jesus Christ Himself ordered to be rendered unto God the things that are God's, and unto Caesar the things that are Caesar's; because, nevertheless, some, led by the blindness of avarice and ambition, and having no understanding of Scripture, but turning away from the path of right feeling into certain iniquitous and wicked deceptions, and, breaking forth into detestable assertions, do wage war against the imperial power and authority and against the prerogatives of the emperors, electors, and other princes, and of the faithful subjects of the empire, falsely asserting that the imperial dignity and power come from the pope and that he who is elected emperor is not true emperor or king unless he be first confirmed and crowned through the pope or the apostolic see; and since, through such wicked assertions and pestiferous dogmas the ancient enemy moves discord, excites quarrels, prepares dissensions and brings about seditions:—therefore, for the purpose of averting such evil, by the counsel and consent of the electors and of the other princes of the empire we declare that the imperial dignity and power comes directly from God alone; and that, by the old and approved right and custom of the empire, after any one is chosen as emperor or king by the electors of the empire concordantly, or by the greater part of them, he is, in consequence of the election alone, to be considered and called true king and emperor of the Romans, and he ought to be obeyed by all the subjects of the empire. And he shall have full power of administering the laws of the empire and of doing the other things that pertain to a true emperor; nor does he need the approbation, confirmation, authority or consent of the apostolic see or of any one else.

And therefore we decree by this law, to be forever valid, that he who is elected emperor concordantly or by the majority of the electors, shall, in consequence of the election alone, be considered and regarded by all as the true and lawful emperor; and that he ought to be obeyed by all the subjects of the empire, and that he shall have, and shall be considered and firmly asserted by all to have and to hold, the imperial administration and jurisdiction and the plenitude of the imperial power.

Moreover, whatever persons shall presume to assert or say anything contrary to these declarations, decrees or definitions, or any one of them; or to countenance those who assert or say anything; or to obey their mandates or letters or precepts: we deprive them from now on, and decree them to be deprived by the law and by the act itself, of all the fiefs which they hold from the empire, and of all the favours, jurisdictions, privileges and immunities granted to them

by us or our predecessors. Moreover, we decree that they have committed the crime of high treason and are subject to all the penalties inflicted on those committing the crime of high treason. Given in our town of Frankfort on the 8th day of the month of August A.D. 1338.

DANTE

THE MODERN CONFLICT between church and state has its origins in the recurrent frictions between the medieval Church and the Holy Roman Empire. One of the most memorable works issuing out of this conflict is the *De Monarchia* of Dante Alighieri (1265-1321). Active in Florentine politics, and a leader of the group combating the extension of papal domination to Florence, Dante was turned aside from his career in the public affairs of Florence by the success of Pope Boniface VIII in extending his secular authority to that city. Indeed, sentenced to exile under pain of death, Dante passed the rest of his life away from his native city. "Florentine by birth but not by character," he conceived a profound and bitter disdain for the endless factionalism that marked Florentine politics, and became convinced that the fundamental need for peace was constantly frustrated by the attempts of the papal party to extend its secular power. The *De Monarchia* is the attempt to bring peace into the temporal order by establishing a united Christendom under the sway of a single temporal monarch.

Coming a half century after St. Thomas Aquinas, Dante takes just the opposite side in the church-state controversy. Nevertheless, the principles which guide the arguments of both St. Thomas and Dante are substantially the same. The basic argument of the *De Monarchia* rests upon the traditional doctrine of "the two swords," first enunciated by Pope Gelasius I at the end of the fifth century and invoked by apologists for both sides during the eleventh-century controversy over the role of secular authority in the appointment of ecclesiastical officials. The Gelasian doctrine rested on St. Augustine's distinction between communities concerned with spiritual salvation and those concerned with temporal affairs. The doctrine of "the two swords" insisted on the dual sovereignty exercised over man by *sacerdotium* and *imperium*; each was separate from the other, representing the two substances of which man was composed, the one spiritual, the other corporeal. For Dante, the argument in favor of the independence of the emperor from the church rests on the principle implicit in the doctrine of the two swords—that imperial power comes directly from God, rather than through any intermediary such as the pope, and that it is in God alone, and not in any visible institution, that the spiritual and secular powers are united.

Dante's argument was neither original nor effective, but it marks the culmination of a long controversy. Like St. Thomas, he adopted the Aristotelian view of human society or "civilization" as the fulfillment of specifically human nature and reason. The Aristotelian concern with the natural perfecting of a rational life is incorporated by him into the structure of a supernatural theology in which the flesh and the spirit both find their end in God. Thus, in the first book of the *De Monarchia*, Dante agrees that the world-wide empire is supreme over all other communities, serving as the indispensable condition of peace and of the attainment of the specific and common purpose of man—the rational life. At the same time, world-wide unity is proposed on the grounds that unity is an attribute of God, and that the world needs monarchy in order to be perfect according to God's will. Throughout, there are parallel appeals to reason (Aristotle) and to faith (the Bible).

The renewed interest in Roman law is exhibited especially in the second book of the *De Monarchia*, where Dante reformulates with a pronouncedly theological turn the argument that the medieval empire is justifiably independent because it is the heir to the universal authority once justly exercised by the Romans. Imperial Rome seemed to him to be the especial instrument of Providence in the ordering of temporal affairs. The last book is devoted largely to discussion of Scriptural passages and historical events such as the Donation of Constantine,¹ for the purpose of refuting the various arguments employed by the papal party in support of its doctrine that temporal power should be subordinate to the spiritual.

Dante's opposition to papal control of secular affairs is motivated by anything but antagonism or indifference to the Church. Nor does it stem from regard for the upholders of the *imperium* or from Italian nationalism. Dante's *Divine Comedy* exhibits the moral geography in terms of which men of the Middle Ages conceived their lives, and his *De Monarchia* is simply a characteristic product of medieval ideals and especially of the faith in unity.

Committed as it is to such an ideal in an age when Christendom was already beginning to break up into a number of competing national states, the *De Monarchia* may well seem, as Lord James Bryce once said, to be more an epitaph than a prophecy. Indeed, the empire to which Dante turned wielded its power during the Middle Ages more as a tradition than as a political actuality, and the universal peace which he hoped the empire might bring seems to be largely a nostalgic idealization of the *Pax Romana* of antiquity. Indirectly, however, the *De Monarchia* was influential, and in a sense prophetic. The ideal of a unified Christendom as the vehicle of universal peace has been an intellectual and emotional force of the first magnitude. And the medieval ideal of unity is incorporated into the structure of those modern states which claim an all-embracing and supreme authority over individuals and groups. Nor is Dante's argument without importance for those modern churches which believe in a radical separation of political and religious bodies.

De Monarchia was probably made public in or shortly after 1310; it was first printed in 1559 and was then placed on the Church's Index of Forbidden Books. The following translation from the Latin is by A. G. Ferrers Howell and P. H. Wicksteed (London, J. M. Dent, 1904).



DE MONARCHIA

[Book I]

CHAPTER II

. . . THE TEMPORAL monarchy . . . which is called empire is "a unique principedom extending over all persons in time," or, "in and over those things which

¹ This document purported to be a deed in which Constantine the Great offered the pope imperial honors (which the pope refused) and gave him dominion over Italy. The wording of the document was ambiguous so that later popes claimed all western Europe as their proper sphere. Its authenticity was questioned in the fifteenth century by such men as Nicholas of Cusa, and it was finally proved to be a forgery by Laurentius Valla.

are measured by time"; and there rise three main inquiries concerning the same: for in the first place we may inquire and examine whether it is needful for the well-being of the world; in the second, whether the Roman people rightfully assumed to itself the function of monarchy; and in the third, whether the authority of the monarchy depends immediately upon God, or upon some other minister or vicar of God.

But inasmuch as every truth which is not a first principle is demonstrated by reference to one that is, it behooves us in every inquiry to be clear as to the first principle to which we are to return by analysis, in order to establish the certainty of all such propositions as may afterwards be laid down. . . .

That thing, then, if there is any, which is the goal of the entire civilisation of the human race, will give us this first principle, a reduction to which will be held a sufficient explanation of everything to be proved hereafter. But it would be folly to suppose that there is a goal of this civilisation and a goal of that, but no one goal of all civilisations.

CHAPTER III

So now we must consider what is the goal of human civilisation as a whole, which, when we see, more than half our work will be done, according to the Philosopher *Ad Nicomachum*.² And to understand the point in question we must note that like as there is an end for which nature produces the thumb, and another than this for which she produces the whole hand, and again another than either for which the arm, and another than all of these for which the whole man, so there is one end for which she produces the individual man, another for which the domestic group, another for which the district, another for which the city-state, and another for which the kingdom; and lastly, there is an ultimate goal for which the eternal God, by his art, which is nature, brings into being the human race in its universality. And it is this last for which we are now seeking as the first principle to direct our inquiry.

Wherefore be it known in the first place that God and nature makes naught superfluous, but all that comes into being is for some function. For no created being is a final goal in the intention of the Creator, as Creator; but rather is the proper function of that being the goal. Wherefore it comes to pass that the proper function does not come into existence for the sake of the being, but the latter for the sake of the former.

There is, then, some function proper to humanity as a whole for which that same totality of men is ordained in so great multitude, to which function neither one man nor one family, nor one district nor one city-state, nor any individual kingdom may attain. And what this function is will be obvious if the specific potentiality of mankind generally be made clear. I say, then, that

² [Aristotle's *Nicomachean Ethics*.]

no capacity which is shared by many beings, differing in species, is the specific capacity of any one of them. For since that which is specific constitutes a species, it would follow that one essence would be specifically assigned to several species, which is impossible. The specific capacity, then, which differentiates man is not merely *being*, taken without qualification, for this he shares with the elements; neither *compound being*, for this we find in the minerals; nor *animated being*, for this is in plants; nor *apprehension*, for this is shared by the brutes; but *apprehension by means of the potential intellect*, which mode of being is not competent to any other save man, either above him or below. . . .

CHAPTER IV

. . . The work proper to the human race, taken as a whole, is to keep the whole capacity of the potential intellect constantly actualised, primarily for speculation, and secondarily (by extension, and for the sake of the other) for action.

And since it is with the whole as it is with the part, and it is the fact that in sedentary quietness the individual man is perfected in knowledge and in wisdom, it is evident that in the quiet or tranquillity of peace the human race is most freely and favourably disposed towards the work proper to it (which is almost divine, even as it is said "Thou hast made him a little lower than the angels"). Whence it is manifest that universal peace is the best of all those things which are ordained for our blessedness. And that is why there rang out to the shepherds from on high, not riches, not pleasures, not honours, not length of life, not health, not strength, not beauty, but peace. For the celestial soldiery proclaims, "Glory to God in the highest; and, on earth, peace to men of good will." Hence, also, "Peace be with you" was the salutation of him who was the salvation of man. For it was meet that the supreme saviour should utter the supreme salutation. And likewise his disciples saw good to preserve this custom, and amongst them Paul, as all may see in his salutations.

Our exposition, then, has made clear what is the better means (or rather the best) whereby the human race attains to its proper work. And thus we perceive the directest means of approach to that whereto as to their ultimate goal all our doings are directed, which directest means is universal peace. Therefore let this underlie the following arguments, as that first principle which we needed (as aforesaid) for a mark, set up in advance; into which, as into the most manifest truth, whatsoever is to be proved must be resolved.

CHAPTER V

And now, to resume what we said at the outset, three main questions are raised and discussed about the temporal monarchy, more commonly called

the empire; concerning which, as already declared, we purpose to make inquiry, in the order indicated above, under the first principle now laid down. Let us therefore first discuss whether a temporal monarchy is needful for the well-being of the world.

Now against its being needful there is no force either of argument or of authority, whereas most powerful and most patent arguments establish that it is. Of which let the first be drawn from the authority of the philosopher in his *Politics*. For there his venerable authority asserts that when more things than one are ordained for a single purpose, needs must one of them guide or rule, and the others be guided or ruled. And to this not only the glorious name of the author, but inductive argument also forces assent.

For if we consider an individual man, we shall see that this is true of him; since whereas all his faculties are ordained for felicity, the intellectual faculty is the guide and ruler of all the others, else he cannot attain to felicity. If we consider the family, the goal of which is to prepare its members to live well, there must needs be one to guide and rule whom they call the pater-familias, or his representative; according to the philosopher when he says, "Every house is ruled by the oldest." And it is his task, as Homer says, to rule over all the rest, and to impose laws on his housemates; whence the proverbial curse, "May you have a peer in your house." If we consider a district, the end of which is helpful co-operation both in persons and in appliances, one must needs be the guide of the rest, whether he be imposed upon them by another or rise to eminence out of themselves, with the consent of the rest. Else not only do they fail to attain the mutual support they aim at, but sometimes when several strive for pre-eminence, the whole district is brought to ruin. And if we consider a city, the end of which is to live well and suitably, there must be a single rule, and this not only in a rightly ordained polity, but even in a wrong one. For if it be otherwise not only is the end of civil life missed, but the very city itself ceases to be what it was. If finally we consider a special kingdom, the end of which is the same as that of the city, only with bitter assurance of tranquillity, there must be one king to rule and govern, else not only do they in the kingdom fail to reach the goal, but the kingdom itself lapses into ruin, according to that saying of the infallible truth, "every kingdom divided against itself shall be laid waste." If, then, this is so in these cases and in every other case in which a single end is aimed at, the proposition laid down above is true.

Now it is admitted that the whole human race is ordained for a single end, as was set forth before. Therefore there must be one guiding or ruling power. And this is what we mean by monarch or emperor. Thus it appears that for the well-being of the world there must be a monarchy or empire.

CHAPTER IX

Likewise every son is well and best disposed when he follows the track of a perfect father, in so far as his proper nature allows. The human race is the son of heaven, which is most perfect in all its work, for "man is begotten by man and the sun" according to the philosopher in the second *De Naturali Auditu*.³ Wherefore the human race is best disposed when it follows the track of heaven in so far as its proper nature allows. And since the whole heaven, in all its parts, motions, and movers, is regulated by a single motion (to wit of the *primum mobile*), and a single motor, God (as human reason apprehends in philosophy with the utmost clearness), it follows, if our syllogising is sound, that the human race is then best disposed when it is ruled on its motors and motions by a single prince as single motor, and by a single law as single motion. Wherefore it appears necessary to the well-being of the world that there should be a monarchy or single principedom, which is called empire. This reasoning Boethius sighed forth when he said:—

*O felix hominum genus,
Si vestros animos amor
Quo cælum regitur, regat!*⁴

CHAPTER XII

And the human race when most free is best disposed. This will be clear if the principle of freedom be understood. Wherefore be it known that the first principle of our freedom is freedom of choice, which many have on their lips but few in their understanding. For they get as far as saying that free choice is free judgment in matters of will; and herein they say the truth; but the import of the words is far from them, just as is the case with our teachers of logic in their constant use of certain propositions, given by way of example in logic; for instance, "A triangle has three angles equal to two right angles."

Therefore I say that judgment is the link between apprehension and appetite. For first a thing is apprehended, then when apprehended it is judged to be good or bad, and finally he who has so judged it pursues or shuns it. If, then, the judgment altogether sets the appetite in motion, and is in no measure anticipated by it, it is free. But if the judgment is moved by the appetite, which to some extent anticipates it, it cannot be free, for it does not move of itself, but is drawn captive by another. And hence it is that brutes cannot have free judgment because their judgments are always anticipated by appetite. And

³ [Aristotle's *On the Nature of Hearing*.]

⁴ [Oh happy race of men, were your minds ruled by heaven-ruling love!]

hence too it may be seen that the intellectual substances whose wills are immutable, and separated souls departing from this life in grace, do not lose their freedom of choice because of the immutability of their wills, but retain it in its most perfect and potent form.

When we see this we may further understand that this freedom (or this principle of all our freedom) is the greatest gift conferred by God on human nature; for through it we have our felicity here as men, through it we have our felicity elsewhere as deities. And if this be so, who would not agree that the human race is best disposed when it has fullest use of this principle? But it is under a monarch that it is most free. As to which we must know that this is free which exists "for the sake of itself and not of some other," as the Philosopher has it in his work, *De Simpliciter Ente*.⁵ For that which exists for the sake of something else is conditioned by that for the sake of which it exists, as a road is conditioned by the goal. It is only when a monarch is reigning that the human race exists for its own sake, and not for the sake of something else. For it is only then that perverted forms of government are made straight, to wit democracies, oligarchies, and tyrannies, which force the human race into slavery (as is obvious to whosoever runs through them all), and that government is conducted by kings, aristocrats (whom they call *optimates*), and zealots for the people's liberty. For since the monarch has love of men in the highest degree, as already indicated, he will desire all men to be made good, which cannot be under perverted rulers. Whence the Philosopher in his *Politics* says, "Under a perverted government a good man is a bad citizen, but under a right one, a good man and a good citizen are convertible terms." And such right governments purpose freedom, to wit that men should exist for their own sakes. For the citizens are not there for the sake of the consuls, nor the nation for the sake of the king, but conversely, the consuls for the sake of the citizens, the king for the sake of the nation. For just as the body politic is not established for the benefit of the laws, but the laws for the benefit of the body politic, so too they who live under the law are not ordained for the benefit of the legislator, but rather he for theirs, as saith the Philosopher again in what has been left by him on the present matter. Hence it is clear that, albeit the consul or king be masters of the rest as regards the way, yet as regards the end they are their servants; and the monarch most of all, for he must assuredly be regarded as the servant of all. Hence it may begin to appear at this point how the monarch is conditioned in laying down the laws by the end set before him.

Therefore the human race is best disposed when under a monarchy. Whence it follows that for the well-being of the world the existence of a monarchy is necessary.

⁵ [That is, Aristotle's *Metaphysics*.]

CHAPTER XV

. . . It is clear, then, that everything which is good, is good in virtue of consisting in unity. And since concord, as such, is a good, it is manifest that it consists in some unity, as in its proper root. . . .

The human race when best disposed is a concord. For as a single man when best disposed both as to mind and body is a concord, and so also a house, a city, and a kingdom, so likewise is the whole human race. Therefore the human race when best disposed depends upon a unity in wills. But this unity cannot be unless there is one will dominating and ruling all the rest to oneness; inasmuch as the wills of mortals, because of the seductive delights of youth, have need of a directive principle, as the philosopher teaches in the last *Ad Nicomachum*. Nor can that one will exist unless there be a single prince of all, whose will may be the mistress and ruler of all others. Now if all the above deductions are sound, which they are, it is necessary for the best disposition of the human race that there should be a monarch in the world, and therefore for the well-being of the world that there should be a monarchy.

CHAPTER XVI

All the reasons set forth above are confirmed by a memorable experience; namely, of that state of mortal things which the Son of God, when about to become man for man's salvation, either awaited, or, when he would, produced. For if we go through all the states and periods of man, even from the fall of our first parents, which was the point at which we turned aside on our wanderings, we shall find that the world was never quiet on every side except under divus Augustus, the monarch, when there was a perfect monarchy. And that in truth the human race was then blessed in the tranquillity of universal peace is witnessed by all the historians, witnessed by illustrious poets. To this the scribe of the gentleness of Christ has likewise deigned to bear witness; and finally Paul has called that most happy state the "fulness of time." Verily the time and all temporal things were full, for no ministry to our felicity was then vacant of its minister.

But what the state of the world has been since that seamless garment first suffered rending by the nail of covetousness we may read—would that we might not also see! O race of men in what storms and losses, in what shipwrecks must thou needs be tossed, so long as, transformed into a beast of many heads, thou strivest after many things! Thou art sick in either intellect, sick in affection. Thou dost not minister to the higher intellect by reasonings that cannot be gainsaid, nor to the lower by the aspect of experience, nor even to thy affection by the sweetness of divine persuasion, when there sounds to thee

through the trumpet of the Holy Spirit, "Behold how good and how pleasant it is for brethren to dwell together in unity."

[*Book II*]

CHAPTER II

Whereas we have inquired concerning the truth of the first matter in dispute with such adequacy as the subject-matter allows, the truth of the second now presses for inquiry—to wit, whether it was by right that the Roman people acquired for itself the dignity of empire; and the first step of this investigation is to ascertain that truth to which the arguments of the present investigation must be reduced as to their proper principle.

Be it known then that like as art exists in three grades—in the mind of the artificer, in the instrument, and in the material informed by art—so too we may regard nature in three grades. For nature is in the mind of the first mover, which is God, and further in the heaven as in the instrument by means of which the likeness of the eternal excellence is spread over fluctuating matter. And as when the artificer is perfect and the instrument is in perfect order, any flaw that may occur in the form of art must be imputed to the material alone, so, since God realises the supreme perfection, and his instrument, the heaven, falls no way short of its due perfection (as is evident from our studies in philosophy concerning the heaven) it remains that whatsoever flaw there is in things below is a flaw on the part of the material submitted to the action of God and the heaven, and is beside the intention both of God and the active principle of nature, and of the heaven; and that whatsoever good there is in things below, since it cannot come from the matter itself, which only exists as potentiality, must come primarily from the artificer, God, and secondarily from heaven, which is the instrument of that divine art which men commonly call nature.

Hence it is clear that right, since it is good, exists, primarily, in the mind of God. And since everything that is in the mind of God is God (according to that word "What was made was life in him"), and since God supremely wills himself, it follows that right is willed by God, inasmuch as it is in him. And since in God the will and what is willed are identical, it follows further that the divine will is right itself, and hence it follows again that right as manifested in things is naught else than the similitude of the divine will. Whence it comes to pass that whatever is not consonant with the divine will cannot be right, and whatever is consonant with the divine will is right. Wherefore to ask whether anything takes place by right, though the words differ, is yet naught else than to inquire whether it takes place according to what God

wills. Let this, then, be our underlying principle: that whatever God wills in the society of men is to be regarded as true and pure right.

Moreover we must remember that, as the philosopher teaches in the first *Ad Nicomachum*, "Certainty is not to be looked for in the same degree in every case, but according as the nature of the subject admits it." Wherefore it will be sufficient ground for the arguments to proceed on, under the principle we have reached, if we investigate the right of that glorious people by the aid of manifest signs and the authorities of the sages. In sooth the will of God is in itself invisible, but the invisible things of God are understood and perceived by means of things which are made. For though the seal be hidden yet does the wax stamped by it yield patent knowledge of it, hidden though it be. Nor is it marvellous if the divine will must be sought through signs, since even the human will is no otherwise perceived than by signs, save to the man himself who wills.

CHAPTER III

I affirm, then, with respect to this matter, that it was by right and not by usurpation that the Roman people vindicated to itself the office of monarch, which is called empire, over all mortals. And the first proof thereof is this. It was meet for the noblest people to be set above all others. The Roman people was the noblest. Therefore it was meet for it to be set above all others . . .

*Nobilitas unimi sola est atque unica virtus,*⁶

CHAPTER VII

And what nature has ordained, it is right to maintain. For nature in the provision she makes does not fall short of the providence of man, else the effect would surpass the cause in excellence, which is impossible. But we perceive that when colleges are instituted, not only is the order of the colleagues with respect to each other considered by him who institutes them, but also the capacity for exercising their office. And this amounts to a consideration of the limitation of the right of the college or ordered institution, for right does not extend beyond power. Therefore nature, in what she ordains, does not fall short of this provision. Whence it is clear that nature orders things with reference to their faculties, which reference is the foundation of right laid down in things by nature. Hence it follows that the natural order in things cannot be preserved without right, since the basis of right is inseparably bound up with that order. Necessarily, therefore, the preservation of such order is right.

The Roman people was ordained by nature to command. Which is thus made clear: Just as he would fall short of the perfection of art who should

⁶ [*Virtue is the sole and only nobility of mind.*]

consider the final form alone, but should take no heed for the means by which to attain to the form, so would nature if she contemplated only the universal form of the divine similitude in the universe, and neglected the means thereto. But nature lacks no perfection, since she is the work of the divine intelligence. Therefore she contemplates all the means by which the final goal of her intention is approached.

Since, then, there exists a goal of the human race, which is, in its turn, a necessary means to the accomplishment of the universal goal of nature, it follows that nature contemplates it. Wherefore the philosopher does well to show in the second *De Naturali Auditu* that nature always acts with a view to the end. And since nature cannot attain this goal by means of a single man (since the operations needful thereto are many, requiring multiplicity in the operators), nature must of necessity produce a multiplicity of men, ordained for diverse operations; to which, in addition to the influence from above, the virtues and properties of places here below do much contribute. Thus we see that not only individual men, but peoples, are some of them apt by nature to rule and others to be subject and to serve, as the Philosopher sets forth in what he has written *de Politicis*. And for such as these last, even as he says, it is not only expedient to be ruled, but also just, even though they be forced thereto.

And if these things are so, it is not to be doubted that nature ordained in the world a place and a people for universal command; else she would have been lacking to herself, which is impossible. Now what this place and what this people were is sufficiently manifest from what has been said above and what will be said below, to wit, Rome and her citizens or people. . . .

[Book III]

CHAPTER I

. . . The present question, . . . concerning which we are to make inquiry, lies between two great lights, to wit the Roman pontiff and the Roman prince; and we are to ask whether the authority of the Roman monarch, who is monarch of the world by right, as proved in the second book, is immediately dependent upon God; or rather on some vicar or minister of God, by whom I understand the successor of Peter, who in very truth bears the keys of the kingdom of heaven.

CHAPTER III

On the threshold of this investigation we must note that the truth about the first question required explanation rather to remove ignorance than to

quell contentiousness; whereas the investigation of the second question is concerned equally with ignorance and contentiousness. For there are many things of which we are ignorant, but on which we do not dispute; for instance, the geometrician knows not how to square the circle, but does not dispute thereon; and the theologian knows not the number of the angels, yet does not dispute about it; nor does the Egyptian know aught of the civilisation of the Scythians, but he does not therefore dispute as to their civilisation.

Now the truth of this third question has to deal with such contentiousness that whereas in other cases ignorance is wont to be the cause of contentiousness, here it is rather contentiousness which is the cause of ignorance. For to men whose wills insist on flying ahead of the inspection of their reason it ever befalls that if their affections are wrong they put the light of reason behind their backs, and are led like blind men by their affections, while obstinately denying that they are blind. Whence it comes right often to pass not only that falsehood has a patrimony of her own, but that many [of her subjects] issuing from her boundaries o'rrun the encampments of others, and there, understanding naught themselves are naught understood, and thus stir the wrath of some, the indignation of others, and of certain the laughter.

Well, then, there are three classes of men who chiefly fight against the truth which we are seeking.

For the supreme pontiff, the vicar of our Lord Jesus Christ and successor of Peter (to whom we owe not what is due to Christ but what is due to Peter), in zeal perchance for the keys, together with certain pastors of Christian flocks, and others who, I believe, are moved solely by zeal for mother church, oppose the truth which I am about to demonstrate; perhaps, as I have said, in zeal and not in insolence.

But there are others, whose stubborn greed has put out the light of reason, who declare themselves sons of the church, whereas they are of their father the devil, who not only stir up contentiousness with respect to this question, but hating the very name of the most sacred principedom, would impudently deny the first principles of the former investigations and of this.

There is also a third set whom they call the Decretalists, strangers and ignorant in every kind of theology and philosophy, who carp at the empire, laying all their weight upon their Decretals (which, for the matter of that, I hold to be worthy of reverence), and setting their hopes, I take it, on the supremacy of the same. And no wonder; for I have heard one of them declare and volubly maintain that the traditions of the church are the foundation of the faith; may which impious thought be extirpated from the minds of men by those whom the world doubts not to have believed, before the traditions of the church were, in Christ the Son of God, either to come or present or having

already suffered; and believing to have hoped, and hoping to have glowed with love, and so glowing to have become co-heirs with him.

And that such may be utterly excluded from the present wrestling ground be it noted that there is certain scripture, antecedent to the church, certain contemporaneous with the church and certain posterior to the church.

Before the church are the Old and New Testaments, which were "given for eternity," as the prophet says; for this is what the church means when she says to the Bridegroom, "Draw me after thee."

With the church came those venerable chief councils with which no believer doubts that Christ was present, since we have it that he himself, when about to ascend to heaven, said to his disciples, "Behold, I am with you through all the days until the end of the world," as Matthew bears witness. There are likewise the scriptures of the doctors, Augustine and others; and he who doubts that they were aided by the Holy Spirit has either never seen their fruits, or if he has seen, has by no means tasted them.

After the church came those traditions which they call Decretals, which, indeed, though they are to be revered because of the apostolic authority, should indubitably be held inferior to the fundamental scripture, since Christ blamed the priests for the contrary. For when they asked him, "Why do your disciples transgress the tradition of the elders?" (for they neglected the washing of hands), Christ as Matthew testifies, answered them, "And why do ye transgress the commandment of God for the sake of your tradition?" Wherein he sufficiently indicates that the tradition was of less account.

But if the traditions of the Church are subsequent of the church, as has been set forth, then of necessity authority accrues not to the church from the traditions, but to the traditions from the church. And they who have naught save the traditions to allege must be shut out, as already said, from this wrestling ground. For they who are pursuing this truth must proceed, as they track it, on ground of those scriptures from which the authority of the church flows.

These, then, being thus excluded, we must likewise exclude others, who, though covered with the feathers of crows, yet prank themselves as white sheep in the flock of the Lord. These are the sons of impiety who, that they may follow up their own infamies, prostitute their mother, drive out their brethren, and will not hear of a judge. For why should arguments be sought for them when their greed prevents them from seeing even the first principles?

Wherefore there remains only the struggle with those who are led by a certain zeal towards mother church to overlook the precise truth which we are investigating. And with them, relying upon the reverence which a dutiful son owes to his father, which a dutiful son owes to his mother, I—in duty towards Christ, in duty towards the church, in duty towards the pastor, in duty towards

all who profess the Christian religion—enter in the cause of truth upon the contention of this book.

CHAPTER IX

They also take that word in Luke which Peter utters to Christ when he says, "Lo here are two swords," and they say that by those two swords the two regimens aforesaid are meant; and since Peter said they were where he was, that is with him, they argue that, in authority, those two regimens abide with Peter's successor.

And we must proceed against this by denying the sense on which the argument is built; for they say that those two swords which Peter produced import the two aforesaid regimens, which must be flatly denied, in the first place because such an answer would not have agreed with the meaning of Christ, and secondly because Peter, after his impulsive manner, answered merely to the obvious aspect of things.

Now that his answer would not have agreed with the meaning of Christ will be manifest if we consider the words that precede and the occasion of the words. For it must be borne in mind that this saying was on the day of the supper, wherefore, higher up, Luke begins thus: "Now the day of unleavened bread was come, on which the passover must needs be slain"; and at this supper Christ had already spoken of his approaching passion in which he must be parted from his disciples. It must also be noted that when those words were spoken all the twelve disciples were together; whence, shortly after the words just quoted, Luke says, "And when the hour was come he lay down to meat and the twelve apostles with him." And thence without a break in the conversation he comes to these words, "When I sent you forth without scrip and purse and sandals, was aught lacking to you? And they said, no. Wherefore he said to them: But now whosoever has a scrip let him take it, and likewise his purse; and whosoever has not a sword, let him sell his coat and buy one." Wherein the meaning of Christ is clear enough, for he did not say "buy (if we have them not) two swords" but rather "twelve," since it was to the twelve disciples that he said "let him who has not buy," that each of them might have one. And he said this, moreover, forewarning them of the oppression and contempt that was to come upon them; as though he should say, "As long as I was with you ye were received. Now ye will be chased away. Wherefore it behoves you to make ready even those things which I erst forbade you, for there is need." Therefore if the answer of Peter, made to those words, had borne the meaning they assign to it, it would at any rate not have corresponded to the meaning of Christ; and Christ would have rebuked him for it, as he often did when he answered beside the mark. Here, however, he did not so, but

acquiesced, saying to him "it is enough," as though he should say, "I mention it, because of your need; but if you cannot have one each, then two may suffice. . . ."

But if, after all, those words of Christ and Peter are to be taken typically, they must not be applied to the point which these of whom I speak would have, but must be taken to refer to that sword of which Matthew writes as follows: "Think not that I am come to send peace upon the earth. I am come not to send peace, but a sword; for I am come to set a man against his father," and the rest. And this, indeed, comes to pass both in word and deed; wherefore Luke said *ad Theophilum* "What Jesus began to do and to teach." Such was the sword which Christ bid them buy, and which Peter answered was already there twofold. For they were ready both for words and deeds, whereby to do what Christ declared that he himself had come to do with the sword, as we have shown.

CHAPTER X

It is further urged by some that the Emperor Constantine, when cleansed of his leprosy at the intercession of Sylvester, who was then supreme pontiff, granted the seat of empire, to wit Rome, to the church, together with many other dignities of the empire. Whence they argue that no one can assume those dignities thenceforth except he receive them from the church, whose they say they are. And from this it would certainly follow that the one authority is dependent on the other, as they would have it.

Having therefore set out and refuted the arguments which seemed to have their roots in the divine utterances, it remains to set forth and refute those which are rooted in the doings of the Romans and in human reason; the first of which is the one that stands above, the syllogism running thus: "The things that are the church's none may have by right save from the church," and this is granted. "The Roman regimen is the church's. Therefore none may have it of right save from the church." And the minor they prove by what has been indicated above as to Constantine.

This minor, then, I deny; and as to their proof, I say that it has no force, because Constantine had no power to alienate the imperial dignity, nor had the church power to receive it.

And if they persist in their objection, my contention may be thus proved. No one is at liberty to do, in virtue of the office deputed to him, things that are counter to that office, else the same thing in the same capacity would be counter to itself, which is impossible. But it is counter to the office deputed to the emperor to rend the empire, since it is his office to hold the human race subject to unity in willing and diswilling, as may easily be seen in the first

of this present. Wherefore to rend the empire is not competent to the emperor. If therefore certain dignities were (as they say) alienated from the empire by Constantine and ceded to the power of the church, the seamless tunic was rent, which not even they durst rend who pierced Christ, very God, with the lance.

Moreover, like as the church hath its own foundation, so too hath the empire; for the foundation of the church is Christ, whence the Apostle, *Ad Corinthos*, "Other foundation can no man lay than that is laid, which is Christ Jesus." He is the rock on which the church is built; but the foundation of the empire is human right. Now I say that like as the church may not contradict its own foundation, but must ever rest upon it, according to that passage of the *Canticles*, "Who is this that cometh up from the desert, flowing with delights, leaning on her beloved?" so neither may the empire do anything counter to human right. But it were counter to human right should the empire destroy itself. Therefore the empire may not destroy itself. Since, then, to rend the empire were to destroy it (inasmuch as the empire consists in the unity of universal monarchy), it is manifest that he who wields the authority of the empire may not rend the empire. And that it is counter to human right to destroy the empire is manifest from what has gone before.

Moreover, every jurisdiction is prior to its judge, for the judge is appointed to the jurisdiction, and not conversely. But the empire is a jurisdiction embracing every temporal jurisdiction in its scope, therefore it is prior to its judge, who is the emperor, because the emperor is appointed to it, and not conversely. Whence it is clear that the emperor, as emperor, cannot change it, since it is the source of his being what he is. Now I say thus: Either he was emperor when he is said to have made the grant to the church, or he was not. And if not, it is obvious that he had no power of making grants with respect to the empire. If he was, then, since such a grant was to the prejudice of his jurisdiction, he, as emperor, had no power to make it.

Further, if one emperor had power to tear never so little a piece from the jurisdiction of the empire, so on the same showing had another also. And since the temporal jurisdiction is finite, and any finite thing can be used up by finite subtractions, it would follow that the prime jurisdiction might be reduced to nothing, which is contrary to reason.

And again, since he who "confers" is in the relation of agent, and he on whom "it is conferred" in the relation of patient (as the philosopher has it in the fourth *Ad Nicomachum*), in order for a grant to be legitimate there must be the due disposition not only of him who grants but of him to whom the grant is made. For it seems that the acts of the agents inhere in a suitably disposed patient. But the church was entirely undisposed for receiving temporal

things, in virtue of express prohibitive command, as we learn from Matthew, thus: "Possess not gold nor silver, nor money in your girdles, nor purse for your journey," and the rest. For, although we find in Luke a relaxation of the precept with respect to certain things, yet nowhere have I been able to find that permission was given to the church, after that prohibition, to possess gold and silver. Wherefore if the church had no power to receive, then even if Constantine, as far as he was concerned, had power to give, still the action was impossible because the patient had not the due disposition. It is evident, therefore, that neither could the church receive by way of possession, nor could the other grant by way of alienation. The emperor, however, had power to depute a patrimony or the like to the guardianship of the church, the superior dominion always remaining intact, its unity not admitting of division. The vicar of God, too, might receive, not as possessor, but as dispenser of the fruits for the poor of Christ, on behalf of the church; as it is known the apostles did.

CHAPTER XIV

Further, if the church had power to give the Roman prince his authority, she would either have it from God, or from herself, or from some emperor, or from the universal consent of mortals, or at least the majority of them. There is no other crevice through which this power could have flowed to the church. But she has it not from any of these. Therefore she has not the said power at all.

Now that she has it not from any of these is shown as follows. If she had received it from God, it would have been either by divine or by natural law (for what is received from nature is received from God, though the proposition cannot be converted). But it is not by natural law; for nature imposes laws only on her own effects, since God cannot be insufficient where he produces aught into being without secondary agents. Wherefore since the church is not an effect of nature but of God, who says, "On this rock will I build my church," and elsewhere, "I have finished the work thou gavest me to do," it is manifest that nature did not give laws to her.

But neither is it by divine law, for every divine law is held in the bosom of the two Testaments. In which bosom I cannot find that anxiety or care concerning temporal things was commended to the priesthood, either former or latter. Nay, rather I find that the former priests were expressly excluded therefrom, as is plain from those of God *Ad Moysen*, and the like of the latter priests by those of Christ *Ad Discipulos*. But they could not have been relieved of this care if the authority of the temporal regimen had been derived from the priesthood, since at any rate anxiety would press upon them concerning due provision in granting the authorisation, and afterwards in continuous watch-

ing lest he whom they had authorised should wander from the path of right.

Now that she did not receive it from herself is easily shown. There is naught that can give what it has not got. Wherefore everything that effects anything must already be in act that which it contemplates effecting, as is seen in what is written *De Simpliciter Ente*. But it is clear that if the church gave herself that virtue she cannot have had it before she gave it; and thus she would have given herself what she had not got, which is impossible.

And that she did not receive it from any emperor is sufficiently plain from what has been set forth above.

And that she had it not from the consent of all, or of the majority of men, who doubts? since not only all the Asiatics and Africans but the greater part of those dwelling in Europe would repudiate the thought. Nay! it is wearisome to bring proofs of things absolutely manifest.

CHAPTER XV

Again, that which is against the nature of anything is not in the number of its virtues, since the virtues of each thing follow its nature, for the attainment of its end. But virtue to authorise rule over our mortality is contrary to the nature of the church. Therefore it is not of the number of her virtues.

To prove the minor be it known that the nature of the church is the form of the church. For though nature is predicated of material and of form, yet it is more properly predicated of form as is shown in the *De Naturali Auditu*. But the form of the church is no other than the life of Christ, embraced both in his words and in his deeds. For his life was the idea and exemplar of the church militant, especially of pastors, and most of all of the supreme pastor, whose it is to feed the lambs and sheep. Whence he himself in John, when bequeathing the form of his life, says, "I have given you an example that as I have done to you so should ye also do." And specifically to Peter when he had committed to him the office of pastor, as we learn from the same source, he said, "Peter, follow thou me." But Christ in the presence of Pilate renounced any such regimen as that in question. "My kingdom," said he, "is not of this world. If my kingdom were of this world, my servants would fight that I should not be given over to the Jews. But now my kingdom is not hence."

Which is not so to be understood as though Christ, who is God, were not lord of this kingdom; since the Psalmist says, "For the sea is his and he made it. And his hands established the dry land"; but that as the exemplar of the church he had no charge of this kingdom. As though a golden seal were to say of itself, "I am not the standard in any class," which saying would not hold concerning it in as far as it is gold, since as gold it is the standard in the class

of metals; but it holds concerning it in so far as it is a definite stamp capable of being received by impression.

It is therefore the formal principle of the church to say and to feel that same. And to say or feel the opposite is obviously counter to its form, or to its nature, which is the same thing. Whence we gather that the power of authorising this kingdom is counter to the nature of the church, for contrariety in an opinion or a saying follows from contrariety in the thing said or opined; even as truth or falsehood in speech is caused by the being or non-being of the thing, as the teaching of the *Predicaments* shows us. It has therefore been sufficiently shown by the preceding arguments, which lead to an incongruity, that the authority of the empire by no means depends on the church.

CHAPTER XVI

Although in the preceding chapter it has been shown by reduction to an incongruity that the authority of the empire is not caused by the authority of the supreme pontiff, yet it has not been altogether proved that it depends immediately on God, save by consequential inference; for the consequential inference is that if it does not depend on the vicar of God it depends on God. And, therefore, for the perfect establishment of the proposition, we must prove by direct demonstration that the emperor or monarch of the world is in immediate relation to the Prince of the universe, who is God.

Now to understand this be it known that man alone of beings holds a mid-place between corruptible and incorruptible; wherefore he is rightly likened by the philosophers to the horizon which is between two hemispheres. For man, if considered after either essential part, to wit soul and body, is corruptible if considered only after the one, to wit the body, but if after the other, to wit the soul, he is incorruptible. Wherefore the Philosopher says well of the soul (in that it is incorruptible), in the second *De Anima*,⁷ "And it alone is capable of being separated from the corruptible as perpetual."

If man, then, is a kind of mean between corruptible and incorruptible things, since every mean savours of the nature of the extremes, it is necessary that man should savour of either nature. And since every nature is ordained to a certain end it follows that there must be a twofold end of man, so that like as he alone amongst all beings partakes of corruptibility and incorruptibility, so he alone amongst all beings should be ordained for two final goals, of which the one should be his goal as a corruptible being, and the other as an incorruptible.

That unutterable providence, then, has set two ends before man to be contemplated by him; the blessedness, to wit, of this life, which consists in the

⁷ [Aristotle's *On the Soul*.]

exercise of his proper power and is figured by the terrestrial paradise, and the blessedness of eternal life, which consists in the fruition of the divine aspect, to which his proper power may not ascend unless assisted by the divine light. And this blessedness is given to be understood by the celestial paradise.

Now to these two as to diverse ends it behoves him to come by diverse means. For to the first we attain by the teachings of philosophy, following them by acting in accordance with the moral and intellectual virtues. To the second by spiritual teachings which transcend human reason, as we follow them by acting according to the theological virtues; faith, hope, to wit, and charity. Now albeit these ends and means are made plain to us, the one by human reason (which the philosophers have wholly brought to our knowledge), the other by the Holy Spirit (which hath revealed the truth that is beyond our nature, but yet needful to us, by means of the prophets and sacred writers and by Jesus Christ the Son of God co-eternal with the said Spirit, and by his disciples), yet would human greed cast them behind were not men, like horses going astray in their brutishness, held in the way by bit and rein.

Wherefore man had need of a twofold directive power according to his twofold end, to wit, the supreme pontiff, to lead the human race, in accordance with things revealed, to eternal life; and the emperor, to direct the human race to temporal felicity in accordance with the teachings of philosophy. And since none, or few (and they with extremest difficulty) could reach this port, were not the waves of seductive greed assuaged and the human race left free to rest in the tranquillity of peace, this is that mark on which he who has charge of the world and is called the Roman prince should chiefly fix his mind, to wit, that on this threshing floor of mortality life should be lived in freedom and in peace. And since the disposition of this world follows the disposition that inheres in the circulation of the heavens, in order to accomplish this end, namely, that the charters which conduce to liberty and peace should be applied by the ruler in question with due reference to time and place, it is needful that they should be dispensed by him who looks upon the whole disposition of the heavens presently. And that is he only who so preordained that disposition that by it he in his providence might weave all things together, each in its due order.

But if this be so, God alone chooses, he alone confirms, since he hath no superior. Whence we may further gather that neither they who now are, nor such others of any kind as have ever been called the electors, should so be called; but rather should they be reckoned the heralds of divine providence. Whence it comes to pass that they to whom is granted the honour of making the proclamation, are subject from time to time to dissent; because either all

or some of them are clouded by the mists of greed, and discern not the face of the divine dispensation.

Thus, then, it is plain that the authority of the temporal monarch descends upon him without any mean from the fountain of universal authority. Which fountain, one in the citadel of its simplicity, flows into manifold channels out of the abundance of its excellence.

And now already methinks I have sufficiently reached the mark I set before myself. For the truth of that question has been searched out in which was asked whether the office of monarch were necessary to the well-being of the world, and of that in which was asked whether the Roman people acquired empire for itself by right, and also of that last question in which was asked whether the monarch's authority depended from God, or immediately from some other. The truth concerning which last question is not to be received in such narrow sense as that the Roman prince is subordinate in naught to the Roman pontiff; inasmuch as mortal felicity is in a certain sense ordained with reference to immortal felicity. Let Cæsar, therefore, observe that reverence to Peter which a first-born son should observe to a father, so that illuminated by the light of paternal grace he may with greater power irradiate the world, over which he is set by him alone who is ruler of all things spiritual and temporal.

IV

CENTRALIZED GOVERNMENT AND THE SECULAR POLITICAL SPIRIT

PHILIPPE DE COMMINES

THE STRENUOUS CAREER of Louis XI, king of France from 1461 to 1483, is illustrative of the process of dynastic state building in the period of feudalism's decay. Born during the Hundred Years War—he was five years old when Joan of Arc appeared—Louis as a young man led troops against the English and against rebellious French nobles, plotted against his father, King Charles VII, and eventually ran away to the court of neighboring Burgundy, where he impatiently awaited the day of his succession to the throne. Crowned king in 1461, he asserted his authority with such vigor that most of France's great nobles formed a league against him and accepted the aid of the powerful Charles the Bold of Burgundy, whose father's hospitality to Louis had gone unrewarded. That Louis XI triumphed over this coalition, after many years, and succeeded in unifying and extending the territories under control of the French crown, was the result of his ruthless diplomacy and shrewdness in choosing means which enhanced royal absolutism at the expense of feudal restraints. Supported by the lesser nobles and upper bourgeoisie, who were not averse to seeing their social superiors disciplined and who judged correctly that the king would keep the peasantry and artisans in their place, Louis XI taxed harshly, increased the royal budget, and with the aid of dependable officials governed in a manner which may be said to foreshadow the later and greater absolutism of Louis XIV.

Among Louis XI's most intimate advisers was the Flemish nobleman Philippe de Commines (c.1445–1509), who after the death of his master described the reign in a part of his *Mémoires*, the *Cronique et hystoire du roy Louis onziesme*, with such skill that he has been called the finest historian of his day. Philippe de Commines had been educated at the Burgundian court and had been one of Charles the Bold's officers for a number of years before entering the service of Louis XI. To his natural talents was therefore added an unusual opportunity to observe and reflect upon the subject matter of his history, a part of which appears below in a translation from the French by Andrew R. Scoble (*Memoirs of Philippe de Commines*, London, 1856).



MEMOIRS

IN THE YEAR 1470, the king, having a fair opportunity, as he thought, resolved to be revenged of the Duke of Burgundy, and secretly endeavoured to persuade the towns upon the River Somme, as Amiens, St. Quentin, and Abbeville, to forsake the duke, and admit some of his troops into their garrisons; for it is always the custom of great princes (especially if they be wise), to seek out some fair pretence or other to cover their designs. In order to your better under-

standing the intrigues and artifices of the French court in this kind of transactions, I will give a relation of the whole management of this affair; for the king and duke were both of them deceived, and a very bloody and cruel war commenced upon it, which lasted thirteen or fourteen years. The king indeed had a great desire to excite those towns to rebel, and set up his standard, upon pretence that the Duke of Burgundy had extended the bounds of his dominions farther than the treaty would bear. Upon this account several envoys and ambassadors were sent from one court to the other, backward and forward, who passed and re-passed through these towns, and proposed and drove on their several bargains very securely, there being no garrisons in these towns; for the whole kingdom of France, as well on that side towards the Duke of Burgundy's dominions, as on the other towards the Duke of Bretagne's, was in perfect peace, and the Duke of Guienne was to all appearance in great friendship with the king. However, the king had no design to commence a war purely to repossess himself of one or two of those towns, and no more; but his intention was to raise a universal rebellion in the Duke of Burgundy's dominions, hoping, by that means, to make himself master of all his country.

Many persons, to ingratiate themselves with the king, undertook the management of these secret negotiations, and reported them much forwarder than he really found them; one promised him one town, and another another town, and that they had bargained for them all; but had the king's designs reached no farther than the events which succeeded . . . he would not have violated the peace, nor involved himself in a new war; for he had published the peace at Paris three months after his return into his kingdom; and he began his enterprise not without some fear and caution; but the violent desires he had to it, at last prevailed over his timorousness, and he was spurred on to it by some of his courtiers.

The Count of St. Paul, a very wise man, and Constable of France, with several of the Duke of Guienne's servants and others, earnestly desired a war between those two great princes, rather than peace, and that for two reasons:—The first was, that they were afraid their great revenues would be lessened, if the peace should continue; for the constable had 400 men-at-arms or lances, paid every muster, without any comptroller, and above 30,000 francs a-year, besides the salary of his office, and the profits of several good places which he had in his possession. The other was, because they had observed and talked among themselves, that the nature of the king was such, that unless he was at war with some foreign prince, he would certainly find some quarrel or other at home with his servants, domestics, and officers; for his mind must always be working. Prompted by these specious arguments, they endeavoured

to persuade the king to commence the war; and the constable promised to take St. Quentin whenever he pleased, for his lands lay near it; and he boasted much of his great intelligence in Brabant and Flanders, and that he could induce several of those towns to revolt against the Duke of Burgundy.

The Duke of Guienne being of the same opinion, all his principal governors offered the king their services, and promised him to bring along with them 400 or 500 men-at-arms, whom the Duke of Guienne kept constantly in pay; but their design was not as the king took it, but quite contrary, as you will see hereafter.

The king was always wont to proceed gravely and solemnly in all actions of importance, and therefore he convoked the three Estates at Tours in the months of March and April, 1470 (a thing which he had never done before, nor ever did afterwards), but he summoned only such persons as he thought would not oppose his designs. In this assembly he complained of several of the Duke of Burgundy's enterprises and practices against his crown; he ordered the Count d'Eu to bring in a complaint against the duke for detaining from him St. Valery and other towns belonging to the jurisdiction of Abbeville and the county of Ponthieu. . . . In this assembly there were present several lawyers, as well of the parliament as elsewhere; by all of whom it was concluded, according to the intention of the king, that a day should be appointed, and the Duke of Burgundy summoned to appear in person before the Parliament at Paris. The king knew very well his answer would be insolent, or that he would do something or other against the authority of that court, which would give him a more plausible pretence of declaring war against him.

The Duke of Burgundy received his summons in Ghent from the hands of one of the officers of the Parliament, as he was going to mass; he was much surprised, and highly offended at it, and ordered the officer to be taken into custody, where he remained several days, but at length he was dismissed.

You see the measures that were concerted for the invasion of the Duke of Burgundy's territories; who, having intelligence of it, immediately enlisted great numbers of men, but at half-pay (as they called it), who were to be ready in arms at their houses upon the first summons. However, they were mustered constantly once a month, and received their pay.

In this posture affairs continued for three or four months; but the duke growing weary of the expense, disbanded his soldiers; for the king having sent several embassies to him, he began to think the storm was blown over, and retired into Holland. He had now no soldiers in pay, ready to be employed upon any occasion, nor garrisons in his frontier towns, which was greatly to his disadvantage, by reason of the designs on foot for bringing over Amiens, Abbeville, and St. Quentin to the king. While the Duke of Burgundy was

in Holland, John, late Duke of Bourbon, gave him notice, that in a short time a war would break out against him, as well in Burgundy as Picardy, for the king had great intelligence both in those provinces and in his household. The Duke of Burgundy being wholly unprovided with troops (having disbanded his army, as I said before), was much alarmed at this news; upon which he passed immediately into Artois by sea, and went straight to Hesdin. There he began to find out the secret intrigues of some of his officers, and the transactions which were being managed privately in the above-mentioned towns. At first he could not be persuaded of the truth of it, so that it was some time before he would be convinced of their treachery; but at length he sent for two of the principal citizens of Amiens, whom he suspected to have a hand in those secret negotiations; yet they excused themselves so handsomely, that he suffered them to depart. Not long after this some of the duke's household revolted from him, and went over to the king, as the Bastard Baudouin, and several others; which made him fearful lest more should follow their example. To prevent the worst, he issued a proclamation, requiring all his people to be immediately in arms; but few obeyed it, for winter was approaching, and the duke had not been many days arrived from Holland. . . .

But it is now high time for me to declare what it was that moved the constable, the Duke of Guienne, and their principal ministers (notwithstanding the many good offices, the supplies, and honourable dealing which the Duke of Guienne had received from the Duke of Burgundy), and what advantage they proposed to themselves by fomenting the war between these two great princes, who were then in peace in their several provinces. I have said something of it before, that it was to secure their pensions and employments, lest the king, having no wars abroad, should either take them away, or retrench them. But this was not the chief cause. The Duke of Guienne and his party had passionately desired a match between him and the sole daughter and heiress of the Duke of Burgundy (for the Duke of Burgundy had no sons). The Duke of Burgundy had been often solicited in this business, and always gave them hopes, but would never suffer it to be concluded, and indeed entertained propositions from other persons. . . .

By the messages which were sent, first from the Duke of Guienne, and afterwards from the constable, it is plain the whole business was premeditated . . . so that it may be easily concluded this war was undertaken to force the Duke of Burgundy to consent to that match. The king was deceived when he was put upon it; and the story of their intelligence in the Duke of Burgundy's country was utterly, or to a great extent, false. However, during this whole expedition, the king was served faithfully by the constable, who mortally hated the Duke of Burgundy, because he knew that the duke had no affection for him. The Duke of Guienne also served the king very honestly in this war,

with a considerable body of troops, and the Duke of Burgundy's affairs were in a dangerous condition; yet if, in the beginning of this rupture, the duke (as I said before) would have consented to the marriage of his daughter with the Duke of Guienne, all the above-mentioned great lords would have abandoned the king, and employed all their power and interest against him; but it is in vain for man to determine in these cases, for God Almighty ever executes as he pleases. . . .

The king was overjoyed to see himself rid of all those whom he hated, and who were his chief enemies; on some of them he had been personally revenged, as on the constable of France, the Duke of Nemours, and several others. His brother, the Duke of Guienne, was dead, and his majesty came to the succession of the duchy. The whole house of Anjou was extinct; both René, King of Sicily, John and Nicholas, Dukes of Calabria, and since them their cousin, the Count du Maine, afterwards made Count of Provence. The Count d'Armagnac had been killed at Lestore, and the king had got the estates and moveables of all of them. But the house of Burgundy, being greater and more powerful than the rest, having maintained war with Charles VII, our master's father, for two and thirty years together without any cessation, by the assistance of the English; and having their dominions bordering upon the king's, and their subjects always inclinable to invade his kingdom; the king had reason to be more than ordinarily pleased at the death of that duke, and he triumphed more in his ruin than in that of all the rest of his enemies, as he thought that nobody, for the future, either of his own subjects, or his neighbours, would be able to oppose him, or disturb the tranquillity of his reign. He was at peace with England, as you have heard, and made it his chief business to continue so. . . .

I cannot understand why God has preserved the city of Ghent so long, which has occasioned so much mischief, and which is no good either to the public, or the country wherein it is seated, and much less to its prince. It is not like Bruges, which indeed is a place of trade, and of great resort for foreigners of all nations, in which more commodities and merchandise are disposed of than in any other town in Europe, so that to have had that town destroyed, would have been an irreparable loss; but it seems to me, that God has not made any created being in this world, neither man nor beast, nor anything else, but He has set up some other thing in opposition to it, to keep it within just bounds of fear and humility. In this respect Ghent is admirably well situated, for certainly the countries round about it are the most luxurious, the most splendid, and the most addicted to those pleasures to which man is inclined, of any country in Christendom; yet they are good Christians, and to outward appearance God is religiously honoured and served. But it is not the house of Burgundy

alone that has a thorn in its side; France has England as a check; England has Scotland; and Spain, Portugal (I will not mention Granada, for they are enemies to the true faith, though otherwise Granada has given the kingdom of Castile much trouble to this very day). The princes of Italy, who generally have no other title to their territories but what they derive from Heaven (and of that we can have no certain knowledge), and who rule their subjects with cruelty, violence, and oppression in respect to their taxes, are curbed and kept in check by the commonwealth and free states in Italy, namely, Venice, Florence, Genoa, Bologna, Siena, Pisa, Lucca, and others; which are in a great many respects diametrically opposite, they to the princes, and the princes to them; and all keep a watchful eye over one another, that neither of them may grow too powerful for his neighbour. But to come to particulars in relation to the state of Italy. The house of Aragon has that of Anjou to curb it; the Visconti Dukes of Milan have the house of Orleans, and though they be feeble abroad, their subjects hold them in great dread. The Venetians (as I said before) have the princes of Italy, but more especially the Florentines, in opposition against them; and the Florentines, the neighbouring commonwealths of Sienna and Genoa. The Genoese are sufficiently plagued with their own bad government and treachery towards each other, not to mention their factions and parties, the Fregosi, the Adorni, the Dorias, and others; but this everybody knows so well, that I shall insist no longer on it.

In Germany you are well acquainted with the animosity that rages between the houses of Austria and Bavaria, and how the house of Bavaria is subdivided within itself. The house of Austria again has the Swiss for its enemy, upon the account only of a small village called Switz (not able to raise 600 men), but now the whole country takes its denomination from it, and is so increased in power and riches that two of the best towns belonging to the house of Austria are Zurich and Fribourg, both of which are in Switzerland. Besides, they have won several memorable battles, and slain several of the Dukes of Austria in the field. There are also many other factions and private animosities in Germany; the house of Cleves against the house of Guelders, and the Dukes of Guelders against the Dukes of Juliers. The Easterlings (that remote people in the north) withstand the Kings of Denmark; and, to speak in general of all Germany, there are so many fortified places, and so many people in them ready for all manner of mischief (as plundering, robbing, and killing) upon every trivial occasion, that it is a wonder to think of it. A private person, with only one servant to wait on him, will defy a whole city, and declare war against a duke, that he may have a pretence to rob and plunder him; especially if he has a little castle, perched upon a rock, to retreat to, where he can keep twenty or thirty horses, to scour the country, and plunder according to his directions.

Robbers of this kind are seldom punished by the German princes, who employ them upon all occasions; but the towns and free states punish them severely whenever they catch any of them, and have often besieged and blown up their castles, for which purpose they have generally a certain number of forces in pay, who are always in readiness to defend them. So that these princes and towns in Germany are placed in this opposition and discord, that no one may encroach upon his neighbour—which is absolutely necessary, not only in Germany, but all the world over. . . .

It is therefore to be concluded, that neither natural reason, nor our own knowledge, nor the fear of God, nor love of our neighbour, nor anything else, is always sufficient to restrain us from doing violence to one another, or to withhold us from retaining what we have got already, or to hinder us from usurping the possessions of other people by all possible ways. For if great princes once get possession of any towns or castles, though they belong to their nearest relations or neighbours, all the reasons above mentioned will not prevail with them to restore them; and after they have once published some artful reasons or specious pretence for keeping them, everybody applauds their reasons, especially those who are nearest about them, and desirous of being in their favour. I am not speaking here of disputes between inferior persons, for they have superiors above them who sometimes do them justice; at least, if a man's cause be at all good, his pockets full, and he willing to part with his money, and unless the court (that is the prince under whose authority he lives) opposes him. So that it would seem probable that God is as it were constrained to show many signs, and to chastise us with many rods for our indolence and perverseness; but the brutishness and ignorance of princes are very dangerous and dreadful, because the happiness or misery of their subjects depends wholly upon them. Wherefore, if a prince is powerful and has a large standing army, by the help of which he can raise money to pay his troops, or to spend in a luxurious way of living, or in anything that does not directly tend to the advancement of the common good, and if he will not retrench his outrageous extravagances himself, and those courtiers that are about him rather endeavour to flatter and applaud him in everything he does, than to dissuade him from doing ill (for fear of incurring his displeasure), who can apply any remedy in this case but God alone?

God indeed does not now converse with mankind after the same manner as He did of old, nor are there any prophets to declare His pleasure, but His word is sufficiently known and declared, and clear enough to any that are willing to understand it; so that there will be none excused for ignorance, especially if they have had time and natural sense to consider these matters. How, then, shall those great princes escape who keep their people in such

subjection, that they raise what taxes they please by force, by which they compel their subjects to obedience, and enforce the least of their commands with penalty of life? Some of them punish under pretence of justice and have those about them who are always ready to comply with their wishes, and make a capital crime of what in itself is a venial offense. If they want sufficient evidence to condemn a man, they have ways of multiplying interrogatories, and falsifying the examinations of the witnesses, to weary the defendant, and destroy him with expenses, delaying his trial, and by that means giving encouragement to any that will bring a fresh information against him. If that will not do, and answers not their intentions, they have a shorter method, by stating the case as they please themselves, and giving out it was necessary the culprit should be made an example of. To others that are of a higher quality, and depend upon them, they say, "You have disobeyed and done contrary to the duty and allegiance you owe me": and upon that bare pretence and allegation they proceed, if they can, to seize upon their estates by force, and reduce them to extreme poverty and distress. If they have a neighbour that is of martial temper, they will be sure not to disturb him: but if his kingdom is in a poor weak condition, he will never be left at rest: they will assert he has assisted their enemies, or levied contributions on their countries; or else they will excite quarrels to give them occasion to ruin him. If that will not do, they will support their enemies secretly against him, and will supply them with troops. They think their own subjects live too long, though they have served their predecessors never so faithfully, and will displace them to make room for new creatures of their own. They will molest and quarrel with the clergy upon the score of their benefices, in order to extort compositions for the enriching of some person recommended to them by such as are subservient to their looser pleasures, and who often have great influence upon them. They exhaust their nobility in preparations for war, which they undertake at their pleasure, without consulting their council, or such as they ought to advise with before they enter upon action, though they have employed both their persons and estates to enable them to undertake it. To the common people they leave little or nothing, though their taxes be greater than they ought; nor do they take any care to restrain the licentiousness of their soldiers, who are constantly quartered throughout the country without paying anything; and commit all manner of excesses and insolencies, as everybody knows; for not contented with the ordinary provisions for which they are paid, they beat and abuse the poor country people, and force them to buy bread, wine, and other dainties, on purpose for their eating; and if the good man's wife or daughter happens to be handsome, his wisest course is to keep them out of their sight. And yet, where money is plenty, it would be no hard matter to prevent this disorder

and confusion, by paying them every two months at farthest, which would obviate their pretence of want of pay, and leave them without excuse, and cause no inconvenience to the prince, because his money is raised punctually every year. . . .

But to proceed in my design. Is there any king or prince upon earth who has power to raise one penny of money, except on his own demesnes, without the consent of the poor subject who is to pay it, unless it be by tyranny and violence? It may be objected, that there are some times in which the assembling of great councils cannot be waited for, and that their debates would be too tedious. The preparations and beginnings of war are never so sudden but kings have time enough to consider of it; and when it is begun with the consent and concurrence of his subjects, the prince is always more strong and formidable to his enemy. If it be a defensive war, the storm is seen afar off, especially if it be an invasion, and then the good subject cannot complain, or refuse anything that is demanded: nor can any case happen so suddenly, but some important persons may be called together, to show the necessity of the war, which is much better than to commence hostilities arbitrarily and feignedly, with a design only to raise money. Money, I am sensible, is necessary at all times to secure the frontiers, in times of peace as well as war, that they may not be surprised; but all should be done with moderation, and depends much upon the wisdom of the prince; for if he be a good man he knows what God is, what the world is, what he ought to do, and what he ought to avoid. In my opinion, of all the countries in the world with which I was ever acquainted, the government is no where so well managed, the people no where less obnoxious to violence and oppression, nor their houses less liable to be destroyed and demolished by war than in England, for there the calamities fall only upon the authors of them.

Of all the kings in the world our sovereign has the least reason to use this expression, "I have the privilege to raise what money I please upon my subjects"; for that is a power neither he nor any prince else has; and they do him no honour who say so in order to make him appear greater, for they make him only more terrible and odious to his neighbours, who would never consent to live under his government. But, if our king or his courtiers, who are desirous of augmenting his reputation and grandeur, were to say thus: "My subjects are so good and loyal, that they refuse me nothing I ask them; I am the most feared, best obeyed, and best served by my subjects of any prince in the world; my subjects are the most patient under injury and affliction, and most forgetful of all past sufferings"; this, in my judgment, is more honourable (and I am sure it is true) than to say, "I take what I will; I have privilege to do it, and I will keep it." . . .

As an instance of the affections of the French to their prince, we need look no further back than our own times. At the meeting of the three Estates at Tours, upon the death of our good master Louis XI (whom God pardon!), who died in 1483, that assembly in such a juncture might be thought dangerous; and some there were (but considerable neither for their quality nor virtue) who said then, and have often repeated it since, that it was a diminution of the king's prerogative, and no less than treason against him to talk of assembling the Estates; but it is such as these who commit treason against God, the king, and their country; and those who use these expressions are in undeserved authority and reputation, and are wholly unfit for anything but flattery, whispering lies and stories into the ears of their masters, which make them afraid of these assemblies, lest they should take notice of them and their manners, and call them to an account for their villainous practices. This kingdom was at that time accounted very weak by all people, having endured for twenty years and upwards, such great and horrible taxes as exceeded all precedent by above 3,000,000 of francs per annum. . . .

And yet, in this weak, oppressed, and impoverished kingdom, upon the death of our king, was there any sedition among the people against the prince who now reigns? Did either nobles or commons take arms to oppose him? Was there any one else whom they desired to place on the throne? Did they endeavour either to deprive, or so much as to restrain him in his authority, that he should not have the power of a king? Not at all! and indeed if any had been so conceited as to say yes, they would have had none to help them, for his subjects acted quite contrary; and all the nobility, gentry, commons, and citizens, obeyed his summons, made their personal appearance before him, recognized his power, and swore allegiance to him. The princes and nobles delivered in their petitions humbly upon their knees, and a council of twelve were appointed to take them into consideration, and according to the advice of that council, the king (being then but thirteen years old) did either grant or refuse them. In the assembly of the Estates, the king and his council being present, some requests and remonstrances were made for the good of the kingdom, with all possible humility and deference to the good pleasure of the king and his council.

They who shall read these Memoirs hereafter, and have a better knowledge of the affairs of this kingdom and its neighbouring States than I have, may perhaps wonder that, from the Duke of Burgundy's death to this time, which is little less than a year, I have not said a word of the English, nor of their suffering the king to seize upon those towns which were near them, as Arras, Boulogne, Hesdin, Ardres and several other castles, and to lie so many days before St. Omer. The reason of it was, because, in cunning and artifice, our

king was much superior to King Edward, who was indeed a brave prince, and had won eight or nine battles in England, in which he had been always present himself, and had fought constantly on foot, which redounded much to his honour; but the two kings were placed in different circumstances, and the English king depended not so much upon his diligence or understanding, for upon the success of one battle he was absolute master till another rebellion disturbed him. In England, when any disputes arise, and occasion a war, the controversy is generally decided in eight or ten days, when one party or other gains the victory; but with us, on this side of the water, affairs are managed quite otherwise. Our king is obliged, whilst he is carrying on any war, to keep a watchful eye upon his neighbours, as well as over the rest of his kingdom; and particularly to satisfy the King of England above all, who must be quieted at any cost, and cajoled with ambassadors, promises, and presents, lest he should attempt anything that might interrupt our king's designs. For our master was well aware that the nobility, commons, and clergy of England, are always ready to enter upon a war with France, being incited thereunto, not only upon the account of their old title to its crown, but by the desire of gain, for it pleased God to permit their predecessors to win several memorable battles in this kingdom, and to continue in the possession of Normandy and Guienne for the space of three hundred and fifty years, before Charles VII gave them the first blow; during which time they carried over enormous booty into England, not only in plunder, which they had taken in the several towns, but in the richness and quality of their prisoners, who were many of them great princes and lords, who paid them vast ransoms for their liberty; so that every Englishman afterwards hoped to do the same thing, and return home laden with spoils. . . .

The king accordingly found himself under an absolute necessity to caress and pacify the King of England, and the rest of his neighbours, whom he perceived inclinable to peace, in hopes of receiving his money; and therefore he paid a pension of fifty thousand crowns punctually in London, and allowed it to be called tribute by the English. He also distributed sixteen thousand more among the King of England's officers that were about his person, particularly to the Chancellor, the Master of the Rolls (who is now chancellor), the High Chamberlain, the Lord Hastings (a man of honour and prudence, and of great authority with his master, and deservedly, upon account of the faithful service he had done him), Sir Thomas Montgomery, the Lord Howard (who afterwards espoused King Richard's interest, and was created Duke of Norfolk), the Lord Cheney, master of the horse, Mr. Chalenger, and a certain marquis, who was the Queen of England's son, by her first husband. Besides these great presents, he was also very generous to ambassadors; and all who

were sent to him from the English court, though their messages were never so harsh and displeasing, he dispatched with such fair words and large presents, that they went away very well satisfied with him; and though they were certainly assured (at least some of them), that what he did was only to gain time to effect his designs, yet their private interest prevailed with them to wink at it, highly to the detriment and disadvantage of their public affairs. . . .

In this posture were affairs between the King of England and our master: however, the King of England was earnestly solicited and urged to assist the young princess, and he sent several embassies to our master to remonstrate with him, and to press him either for a peace, or a cessation of arms. For some of the privy council of England, and of the Parliament (which is of the same nature as our three Estates), were persons of wisdom and penetration, who came out of the country, and were not pensioners of France like the rest, and these pressed hard, that the King of England would interpose vigorously for the Princess of Burgundy; urging, that we did but dissemble with them, and amuse them with hopes of a marriage, as it very plainly appeared: for at the treaty of Picquigny the two kings had mutually sworn, that within the space of a year, the King of England's daughter should be sent for; but though the King of France had permitted her to be styled the dauphiness, yet the time was elapsed, and the lady had not been sent for. But all the arguments his subjects made use of could not prevail with King Edward, for several reasons. King Edward was a voluptuous prince, wholly addicted to his pleasures and ease; and having been, in his former expeditions, reduced to great straits and necessities, he had no mind to involve himself in a new war on this side of the water: the fifty thousand crowns, too, which were punctually paid him in the Tower, softened his heart, and hindered him from concerning himself in this affair. Besides, his ambassadors were always bribed, and entertained so nobly, that they left the French court well satisfied, though the king's answers were always uncertain, in order to gain time; for they were always told that in a few days the king would send ambassadors of his own, who would satisfy their master in every point which had been left in doubt.

As soon as the King of England's ambassadors were returned, about three weeks or a month later, sometimes more, sometimes less (which in such cases is a great matter), the king our master would send his envoys; but always new persons, and such as had not been employed in any overture with the English before, to the end that if anything had been promised by their predecessors, but not afterwards performed, they might pretend ignorance, and not be obliged to give an answer. The ambassadors, therefore, who were sent into England, used their utmost endeavours to persuade King Edward of the good inclinations of the King of France, so that he might remain quiet, and not give

the least assistance to the Princess of Burgundy: for both the King and the Queen of England were so desirous of the match with their daughter, that upon that account, not to mention several other reasons, the king was willing to wink at these proceedings, and take no notice of the remonstrances that were made to him by some of his privy council, who represented to him how prejudicial it would be to the interest of the whole nation. . . .

. . . For certainly, had it not been in hopes of this marriage, the King of England would never so tamely have suffered our king to have taken so many towns, without endeavouring to have defended them; and had he declared at the outset for the young Princess of Burgundy, as our king was so fearful of bringing anything to a hazard, he would not have encroached so far upon the dominions of the House of Burgundy, nor have weakened it so much. . . .

After this manner (as I have said before), transactions were managed between the two kings for no other purpose but to gain time, by which means the Princess of Burgundy's affairs began visibly to decay; for of the few soldiers that remained after her father's death, many revolted from her to the king, especially after the Lord des Cordes had quitted her service, and carried several others along with him. Some were forced to leave her because their estates or abodes lay very near or within the towns which had declared for the king; others left her in hopes of preferment; for in that respect no prince was so noble and generous to his servants as our master. Besides, commotions and factions discovered themselves daily in the great towns, and particularly in Ghent, which wanted to have everything its own way, as you have already heard. Several husbands were proposed to the Princess of Burgundy, and every one was of opinion there was a necessity of her marrying to defend those territories that she had left to her, or (by marrying the dauphin), to recover what she had lost. Several were entirely for this match. . . . Some opposed the match, and urged the disproportion of their age, the dauphin being but nine years old, and besides engaged to the King of England's daughter; and these suggested the son of the Duke of Cleves. Others recommended Maximilian, the emperor's son, who is at present King of the Romans. . . .

I am verily persuaded, that if the king had been inclined to have had her marry the Count of Angoulesme, who is now living, she would have consented to it, so desirous was she to continue her alliance with France. God, however, thought fit to appoint her another husband, for reasons unknown perhaps to us, unless it were, that it might occasion greater wars and confusions on both sides than could possibly have happened, had she married the Count of Angoulesme, for by this match the provinces of Flanders and Brabant sustained great miseries and afflictions. The Duke of Cleves was at this time in Ghent with the princess, making friends, and trying all arts to effect a marriage be-

tween the princess and his son, but she had no inclination to it, for the character of the young gentleman pleased neither her nor any person about her court. At last a marriage was again proposed between her and the emperor's son, the present King of the Romans, of which there had formerly been some overtures between the Emperor and Duke Charles, and a match concluded between them. The emperor had in his custody a letter written by the young lady, at her father's command, under her own hand, and a diamond ring of considerable value. The purport of the letter was to acquaint his imperial majesty, that, in obedience to her father's commands, she promised to accomplish the marriage with his son the Duke of Austria, in the same form and manner as her father the Duke of Burgundy should think fit to prescribe. . . .

This aforesaid marriage was performed with great pomp and solemnity, but affairs were not placed by it in a much better posture; for they were both very young. Duke Maximilian was a person of no great knowledge, both in consequence of his youth, and of his being in a foreign country. Besides, his education had been but indifferent, and not serviceable for the management of great affairs; nor, if it had been better, had he a sufficient body of troops ready to have attempted anything considerable: so that his poor countries were involved in great troubles, which have continued to this day, and are like to continue. For which reasons, as I said before, it is a great misfortune to any country to have to seek a foreign sovereign; and God has been very merciful to France in establishing that law against the inheritance of the crown by a daughter. A private or insignificant family may be much aggrandised by it; but a great kingdom, like ours, will always be greatly inconvenienced, and incommoded. A few days after the consummation of this marriage (if not at the very time of its negotiation), the whole country of Artois was lost. (It will be sufficient for me to narrate the substance of events, and if I fail in terms, or the just computation of times, I hope the reader will excuse me.) The king's affairs went on prosperously, without any manner of opposition, during the winter; only now and then some overture or proposition was made, which came to nothing; for both sides being high in their demands, the war could not but continue. Duke Maximilian and the Princess of Burgundy had a son the first year, namely, the Archduke Philip, who is now reigning. . . .

In Hainault the king was possessed of two towns, Quesnoy le Comte and Bouchain, both which he restored; at which several persons were highly astonished, knowing his aversion to any peace, and how desirous he was to take all, and leave the house of Burgundy nothing; and my opinion is, if he could have done it undisturbedly, and destroyed or divided those territories at his ease, he would not have failed to have done so. But, as he told me after-

wards himself, he surrendered those towns in Hainault for two reasons: the first was, because he thought a prince had more strength and importance in his own country, where he was anointed and crowned, than he could have out of his dominions; and these towns were not in his territory. The other was, because there had been solemn oaths and great confederacies between the emperors and the kings of France, not to invade or usurp upon one another's dominions; and those above-mentioned places belonging to the empire were restored in the year 1478.

. . . Factions and parties are very perilous and fatal, especially to the nobility, who are too prone to propagate and foment them. If it be alleged that by this means both parties are kept in awe, and the secret minds of his subjects are discovered to the prince, I agree that a young prince may encourage faction among his ladies, and it may be pleasant and diverting enough, and may give him opportunity of finding out some of their intrigues; but nothing is so dangerous to a nation as to nourish such factions and partialities among men of courage and magnanimity; it is no less than setting one's own house on fire; for immediately some or other cry out, "The king is against us," seize upon some fortified town, and correspond with his enemies. And certainly the factions of Orleans and Burgundy ought to make us wise on this point; for they began a war which lasted seventy-two years, in which the English were concerned, and thought by those unhappy divisions to have conquered the kingdom.

THE REIGN OF HENRY VII

HENRY VII (1485-1509), first of the Tudor line which was to include the better-known English monarchs Henry VIII and Elizabeth, ruled at a time when there was opportunity for the crown to play a large part in the direction of a strong central government. Driven from the Continent at the close of the Hundred Years War, England in the mid-fifteenth century was already well along the road to national unity, but, despite the considerable powers which it had already won, Parliament appeared unable to provide security and order without the guidance of a determined king. Powerful nobles, supported by armed retainers, were still capable of pursuing their ambitions in private wars; lawlessness was too often unpunished, with the result that in many districts life and property were unsafe. In the period preceding the reign of Henry VII these conditions were emphasized by the so-called "Wars of the Roses," a struggle for the crown carried on by the rival houses of Lancaster and York, and one in which neither fundamental principles nor the general public were deeply concerned.

Distantly related on his mother's side to the House of Lancaster, Henry Tudor was able to claim the throne when the unpopularity of his predecessor, Richard III of the House of York, made rebellion possible. The doubtfulness of Henry's right to the succession was in part overcome by military victory and by parliamentary recognition, but his real success in consolidating the dynasty lay in his ability to satisfy large numbers of the English people, particularly the lesser nobles and the middle class. Once in power, Henry VII had to face the problems—to a large extent common to the heads of other dynastic states—of taming the great nobles, filling the treasury, finding reliable officials, avoiding parliamentary interference, and charting a careful course in international affairs. The extent of his success is indicated by the following reports of contemporary observers, taken from A. F. Pollard, ed., *The Reign of Henry VII from Contemporary Sources* (London and New York, Longmans, Green, 1913), Vol. I.



NEWS RECEIVED FROM ENGLAND,

by Letters Dated 24 August, 1497

FIRST OF ALL, by God's grace, the king and the whole Court were in good condition, and on the 17th August were at a place called Woodstock, fifty miles from London, where it is said they would reside until Michaelmas, more or less according to circumstances. That in that place on the 14th July, there had been firmly concluded and published the marriage of the daughter of the King of Spain to the eldest son of the King of England, and she was to

come over next spring. That the King of Scotland with his whole army, accompanied by the individual who styles himself the Duke of York, had been besieging a place in England on the seashore, and King Henry had sent his forces, numbering 40,000 men, by sea and land to give battle. So they fought and many fell on both sides, the King of Scotland being put to flight, abandoning all his artillery; but as the matter is very recent, the writer was unable to learn the numbers of the slain. The English were pursuing the Scots and following up the victory. The truth would soon be heard and he would then write to his Excellency.

Also that Monsignor de Deber and two other captains who had lately rebelled against the king had been beheaded and quartered in the city of London on the 28th of June, many others being put to death, so that his dominion may be considered much strengthened and permanent.

Also some months ago his Majesty sent out a Venetian, who is a very good mariner, and has good skill in discovering new islands, and he has returned safe, and has found two very large and fertile new islands. He has also discovered the seven cities, 400 leagues from England, on the western passage. This next spring his Majesty means to send him with fifteen or twenty ships.

Also the kingdom of England has never for many years been so obedient to its sovereign as it is at present to his Majesty the King.

*THE MILANESE ENVOY, RAIMONDO DE SONCINO,
TO LUDOVICO SFORZA, DUKE OF MILAN, 1497*

IN MANY THINGS I know this sovereign (Henry VII) to be admirably well informed, but above all because he is most thoroughly acquainted with the affairs of Italy, and receives especial information of every event. He is no less conversant with your own personal attributes and those of your duchy than the King of France; and when the King of France went into Italy, the King of England sent with him a herald of his own called "Richmond," a sage man who saw everything, until his return. Then the merchants, most especially the Florentines, never cease giving the King of England advices.

Besides this, his Majesty has notable men in Rome, such as Master Giovanni Zilio (de Giglis) a Lucchese, and Master Adrian (Castellesi), clerk of the Treasury, who have been benefitted and enriched by him, so that we have told him nothing new; and the courtiers likewise have a great knowledge of our affairs, in such wise that I fancy myself at Rome: so I am of opinion, that should it be chosen to give any intelligence, it would be well to impart it either more in detail than the others do, or to be beforehand with them.

To this effect the Genoa letter bag will be of good use, but yet more such Florentine merchants as are in your confidence, as their correspondence passes through France without impediment and is but little searched.

The letter of congratulation dated 17 July, on the victory gained by the King, was to the purpose, though rather late. The victories were two—the first against the Cornishmen, who, some ten thousand in number, took up arms under a blacksmith, saying they would not pay the subsidy—the other against the King of Scotland, who raised his camp “not very gloriously,” to express myself no less modestly than this most sage King himself did. Another matter also, which his Majesty did not tell me, is that the youth, the reputed son of the later King Edward has fled incognito; and his wife is said to be a prisoner; so I consider that this youth called Perkin has vanished into smoke. The King of England’s dynasty is likewise established through a successor, whom it may please God to preserve, for his virtue deserves it—I allude to the Prince (Arthur); and your Excellency may surely congratulate the Sovereigns of Spain on so distinguished a son-in-law; and the succession may the more be relied on should the matrimonial alliance, which I am told is in negotiation, between Spain and Scotland take place, and a Spanish ambassador is now with the King of Scotland. But even should that marriage not be solemnized, this kingdom is perfectly stable, by reason, first, of the King’s wisdom, whereof every one stands in awe; and, secondly, on account of the King’s wealth, for I am informed that he has upwards of six millions of gold, and it is said that he puts by annually five hundred thousand ducats, which is of easy accomplishment, for his revenue is great and real, not in written promises (*non in scriptis*) nor does he spend anything. He garrisons two or three fortresses, contrary to the custom of his predecessors, who garrisoned no place. He has neither ordnance nor munitions of war, and his body guard is supposed not to amount to one hundred men, although he is now living in a forest district which is unfortified. He well knows how to temporise, as demonstrated by him before my arrival in his kingdom, when the French ambassadors wanted to go to Scotland under pretence of mediating for the peace, but he entertained them magnificently, made them presents, and sent them home without seeing Scotland; and now he sends one of his own gentlemen in waiting to France. The Pope is entitled to much praise, for he loves the King cordially, and strengthens his power by ecclesiastical censures, so that at all times rebels are excommunicated. The efficacy of these censures is now felt by the Cornishmen, for all who eat grain garnered since the rebellion, or drink beer brewed with this years crops, die as if they had taken poison, and hence it is publicly reported that the King is under the protection of God eternal.

The Caesarean ambassador and the papal nuncio have not arrived. The Spanish ambassador, in my opinion a very able man, is here. He gives me very good greeting, possibly from the extravagant compliments paid by me to his sovereigns at our first interview. The Neapolitan ambassador is about to depart, which I much regret, as he would have enlightened me vastly, and has done so already to his utmost.

DE PUEBLA TO FERDINAND AND ISABELLA,

1500

ENGLAND HAS NEVER BEFORE been so tranquil and obedient as at present. There have always been pretenders to the crown of England; but now that Perkin and the son of the Duke of Clarence have been executed, there does not remain "a drop of doubtful Royal blood," the only Royal blood being the true blood of the King, the Queen, and, above all, of the Prince of Wales. Must forbear from importuning them any more on this subject, as he has written so often concerning the execution of Perkin, and the son of the Duke of Clarence.

NICCOLÒ MACHIAVELLI

NICCOLÒ MACHIAVELLI (1469-1527) was a Florentine who came from the class of impoverished gentry that was losing caste before the rapid rise of the bourgeoisie. He served Florence in various diplomatic posts for fourteen years, serving on missions requiring at once the utmost in finesse and in tough-mindedness. When in 1512 the pope was victorious over France and its Florentine ally and the antirepublican Medici were returned to power, Machiavelli was one of those forced into exile. It was during this period of exile that he wrote *The Prince* (1513), the *Discourses on Livy* (1513), and his other books. Machiavelli's energies found no adequate release merely in writing books, however, and like that other Florentine exile, Dante, he was ill at ease away from his native city. He made many attempts to get back into public life by wooing the favor of the pope and the Medici. The victorious revolution of the popular party in Florence in 1527 seemed to Machiavelli to be his opportunity. He returned to Florence, but the Florentine Council, some of whom had read *The Prince*, decided against trusting him as a public official. Machiavelli, however, died before he had heard of this decision.

Machiavelli like others in his day turned to classic ideals for the criticism and interpretation of the emergent and still inchoate modern world, with its secular interests and nation-states. His nostalgic feeling for the aristocratic Roman ideal of civic virtue was the guiding factor in his republican enthusiasms (as expressed in the *Discourses*) and in his insistence that the overwhelming need for Italian unity depended upon the concentration of power in the hands of an omnipotent prince (as developed in *The Prince*).

The contrasting emphases of Machiavelli's two major works are due to the fact that Machiavelli (perhaps inconsistently) looked to such a prince as Caesar Borgia to establish a state, and, on the other hand, to widespread civic virtue to preserve it. Machiavelli was convinced that the unification of Italy into a powerful and centralized state was both a necessary prerequisite, and—in view of the existing corruption of Italian politics—the only possibility. So immediately important was it to unify Italy and to restrain the divisive activities of the pope that Machiavelli felt it necessary to devote *The Prince* to an exclusive consideration of the mechanics of statesmanship without regard to the problem of moral ends. In this respect he expresses a persistent attitude on the part of thinkers and politicians, who, faced with the complete breakdown of stable institutions, prefer any state to no state at all. Political emergencies have recurrently given rise to the claim that the securing of unity requires—at least for the while—the neglect of all other considerations.

There is, however, much in Machiavelli that gives support to popular monarchy and to constitutionalism. Wherever it was possible popular government was to be preferred to reliance on the aristocracy, and Machiavelli was convinced that government was more stable when it invited widespread participation by an independent citizenry. But popular government did not mean representative government for Machiavelli, and lawful government, in his eyes, was not always so successful as absolutism in dealing with the threat of conspiracy or anarchy. His

treatment of politics as an art having its own end, namely, the strength to govern, is a classic description of the ideal of the nation-state and is often taken as the foundation of modern political science. As Lord Acton said: "The authentic interpreter of Machiavelli is the whole of later history."

The translation from the Italian is by Luigi Ricci (1903), revised by E. R. P. Vincent.



THE PRINCE

CHAPTER I: THE VARIOUS KINDS OF GOVERNMENT AND THE WAYS BY WHICH THEY ARE ESTABLISHED

ALL STATES AND DOMINIONS which hold or have held sway over mankind are either republics or monarchies. Monarchies are either hereditary in which the rulers have been for many years of the same family, or else they are of recent foundation. The newly founded ones are either entirely new, as was Milan to Francesco Sforza, or else they are, as it were, new members grafted on to the hereditary possessions of the prince that annexes them, as is the kingdom of Naples to the King of Spain. The dominions thus acquired have either been previously accustomed to the rule of another prince, or else have been free states, and they are annexed either by force of arms of the prince himself, or of others, or else fall to him by good fortune or special ability.

CHAPTER II: OF HEREDITARY MONARCHIES

I will not here speak of republics, having already treated of them fully in another place. I will deal only with monarchies, and will discuss how the various kinds described above can be governed and maintained. In the first place, the difficulty of maintaining hereditary states accustomed to a reigning family is far less than in new monarchies; for it is sufficient not to transgress ancestral usages, and to adapt one's self to unforeseen circumstances; in this way such a prince, if of ordinary assiduity, will always be able to maintain his position, unless some very exceptional and excessive force deprives him of it; and even if he be thus deprived, on the slightest mischance happening to the new occupier, he will be able to regain it.

We have in Italy the example of the Duke of Ferrara, who was able to withstand the assaults of the Venetians in 1484 and of Pope Julius in 1510, for no other reason than because of the antiquity of his family in that dominion. In as much as the legitimate prince has less cause and less necessity to give offence, it is only natural that he should be more loved; and, if no extraordinary vices make him hated, it is only reasonable for his subjects to be naturally attached to him, the memories and causes of innovations being forgotten in

the long period over which his rule has extended; whereas one change always leaves the way prepared for the introduction of another.

CHAPTER III: OF MIXED MONARCHIES

But it is in the new monarchy that difficulties really exist. First, if it is not entirely new, but a member as it were of a mixed state, its disorders spring at first from a natural difficulty which exists in all new dominions, because men change masters willingly, hoping to better themselves; and this belief makes them take arms against their rulers, in which they are deceived, as experience later proves that they have gone from bad to worse. This is the result of another very natural cause, which is the inevitable harm inflicted on those over whom the prince obtains dominion, both by his soldiers and by an infinite number of other injuries caused by his occupation.

Thus you find enemies in all those whom you have injured by occupying that dominion, and you cannot maintain the friendship of those who have helped you to obtain this possession, as you will not be able to fulfil their expectations, nor can you use strong measures with them, being under an obligation to them; for which reason, however strong your armies may be, you will always need the favour of the inhabitants to take possession of a province. It was from these causes that Louis XII of France, though able to occupy Milan without trouble, immediately lost it, and the forces of Ludovico alone were sufficient to take it from him the first time, for the inhabitants who had willingly opened their gates to him, finding themselves deluded in the hopes they had cherished and not obtaining those benefits they had anticipated, could not bear the vexatious rule of their new prince.

It is indeed true that, after reconquering rebel territories they are not so easily lost again, for the ruler is now, by the fact of the rebellion, less averse to secure his position by punishing offenders, unmasking suspects, and strengthening himself in weak places. So that although the mere appearance of such a person as Duke Ludovico on the frontier was sufficient to cause France to lose Milan the first time, to make her lose her grip of it the second time was only possible when all the world was against her, and after her armies had been defeated and driven out of Italy; which was the result of the causes above mentioned. Nevertheless it was taken from her both the first and the second time. The general causes of the first loss have been already discussed; it remains now to be seen what were the causes of the second loss and by what means France could have avoided it, or what measures might have been taken by another ruler in that position which were not taken by the King of France. Be it observed, therefore, that those states which on annexation are united to a previously existing state may or may not be of the same nationality

and language. If they are, it is very easy to hold them, especially if they are not accustomed to freedom; and to possess them securely it suffices that the family of the princes which formerly governed them be extinct. For the rest, their old condition not being disturbed, and there being no dissimilarity of customs, the people settle down quietly under their new rulers, as is seen in the case of Burgundy, Brittany, Gascony, and Normandy, which have been so long united to France; and although there may be some slight differences of language, the customs of the people are nevertheless similar, and they can get along well together. Whoever obtains possession of such territories and wishes to retain them must bear in mind two things: the one, that the blood of their old rulers be extinct; the other, to make no alteration either in their laws or in their taxes; in this way they will in a very short space of time become united with their old possessions and form one state.

But when dominions are acquired in a province differing in language, laws, and customs, the difficulties to be overcome are great, and it requires good fortune as well as great industry to retain them; one of the best and most certain means of doing so would be for the new ruler to take up his residence there. This would render possession more secure and durable, and it is what the Turk has done in Greece. In spite of all the other measures taken by him to hold that state, it would not have been possible to retain it had he not gone to live there. Being on the spot, disorders can be seen as they arise and can quickly be remedied, but living at a distance, they are only heard of when they get beyond remedy. Besides which, the province is not despoiled by your officials, the subjects being able to obtain satisfaction by direct recourse to their prince; and wishing to be loyal they have more reason to love him, and should they be otherwise inclined they will have greater cause to fear him. Any external Power who wishes to assail that state will be less disposed to do so; so that as long as he resides there he will be very hard to dispossess.

The other and better remedy is to plant colonies in one or two of those places which form as it were the keys of the land, for it is necessary either to do this or to maintain a large force of armed men. The colonies will cost the prince little; with little or no expense on his part, he can send and maintain them; he only injures those whose lands and houses are taken to give to the new inhabitants, and these form but a small proportion of the state, and those who are injured, remaining poor and scattered, can never do any harm to him, and all the others are, on the one hand, not injured and therefore easily pacified; and, on the other, are fearful of offending lest they should be treated like those who have been dispossessed. To conclude, these colonies cost nothing, are more faithful, and give less offence; and the injured parties being poor and scattered are unable to do mischief, as I have shown. For it must be noted.

that men must either be caressed or else annihilated; they will revenge themselves for small injuries, but cannot do so for great ones; the injury therefore that we do to a man must be such that we need not fear his vengeance. But by maintaining a garrison instead of colonists, one will spend much more, and consume all the revenues of that state in guarding it, so that the acquisition will result in a loss, besides giving much greater offence, since it injures every one in that state with the quartering of the army on it; which being an inconvenience felt by all, every one becomes an enemy, and these are enemies which can do mischief, as, though beaten, they remain in their own homes. In every way, therefore, a garrison is as useless as colonies are useful. . . .

CHAPTER V: THE WAY TO GOVERN CITIES OR DOMINIONS THAT, PREVIOUS TO BEING OCCUPIED, LIVED UNDER THEIR OWN LAWS

When those states which have been acquired are accustomed to live at liberty under their own laws, there are three ways of holding them. The first is to despoil them; the second is to go and live there in person; the third is to allow them to live under their own laws, taking tribute of them, and creating within the country a government composed of a few who will keep it friendly to you. Because this government, being created by the prince, knows that it cannot exist without his friendship and protection, and will do all it can to keep them. What is more, a city used to liberty can be more easily held by means of its citizens than in any other way, if you wish to preserve it.

There is the example of the Spartans and the Romans. The Spartans held Athens and Thebes by creating within them a government of a few; nevertheless they lost them. The Romans, in order to hold Capua, Carthage, and Numantia, ravaged them, but did not lose them. They wanted to hold Greece in almost the same way as the Spartans held it, leaving it free and under its own laws, but they did not succeed; so that they were compelled to lay waste many cities in that province in order to keep it, because in truth there is no sure method of holding them except by despoiling them. And whoever becomes the ruler of a free city and does not destroy it, can expect to be destroyed by it, for it can always find a motive for rebellion in the name of liberty and of its ancient usages, which are forgotten neither by lapse of time nor by benefits received; and whatever one does or provides, so long as the inhabitants are not separated or dispersed, they do not forget that name and those usages, but appeal to them at once in every emergency, as did Pisa after being so many years held in servitude by the Florentines. But when cities or provinces have been accustomed to live under a prince, and the family of that prince is extinguished, being on the one hand used to obey, and on the other not having their old prince, they cannot unite in choosing one from among them-

selves, and they do not know how to live in freedom, so that they are slower to take arms, and a prince can win them over with greater facility and establish himself securely. But in republics there is greater life, greater hatred, and more desire for vengeance; they do not and cannot cast aside the memory of their ancient liberty, so that the surest way is either to lay them waste or reside in them.

CHAPTER IX: OF THE CIVIC PRINCIPALITY

But we now come to the case where a citizen becomes prince not through crime or intolerable violence, but by the favour of his fellow-citizens, which may be called a civic principality. To attain this position depends not entirely on worth or entirely on fortune, but rather on cunning assisted by fortune. One attains it by help of popular favour or by the favour of the aristocracy. For in every city these two opposite parties are to be found, arising from the desire of the populace to avoid the oppression of the great, and the desire of the great to command and oppress the people. And from these two opposing interests arises in the city one of the three effects: either absolute government, liberty, or licence. The former is created either by the populace or the nobility, depending on the relative opportunities of the two parties; for when the nobility see that they are unable to resist the people they unite in exalting one of their number and creating him prince, so as to be able to carry out their own designs under the shadow of his authority. The populace, on the other hand, when unable to resist the nobility, endeavour to exalt and create a prince in order to be protected by his authority. He who becomes prince by help of the nobility has greater difficulty in maintaining his power than he who is raised by the populace, for he is surrounded by those who think themselves his equals, and is thus unable to direct or command as he pleases. But one who is raised to leadership by popular favour finds himself alone, and has no one, or very few, who are not ready to obey him. Besides which, it is impossible to satisfy the nobility by fair dealing and without inflicting injury on others, whereas it is very easy to satisfy the mass of the people in this way. For the aim of the people is more honest than that of the nobility, the latter desiring to oppress, and the former merely to avoid oppression. It must also be added that the prince can never insure himself against a hostile populace on account of their number, but he can against the hostility of the great, as they are but few. The worst that a prince has to expect from a hostile people is to be abandoned, but from hostile nobles he has to fear not only desertion but their active opposition, and as they are more far-seeing and more cunning, they are always in time to save themselves and take sides with the one who they expect will conquer. The prince is, moreover, obliged to live always with the same people, but he

can easily do without the same nobility, being able to make and unmake them at any time, and improve their position or deprive them of it as he pleases.

And to throw further light on this part of my argument, I would say, that the nobles are to be considered in two different manners; that is, they are either to be ruled so as to make them entirely dependent on your fortunes, or else not. Those that are thus bound to you and are not rapacious, must be honoured and loved; those who stand aloof must be considered in two ways, they either do this through pusillanimity and natural want of courage, and in this case you ought to make use of them, and especially such as are of good counsel, so that they may honour you in prosperity and in adversity you have not to fear them. But when they are not bound to you of set purpose and for ambitious ends, it is a sign that they think more of themselves than of you; and from such men the prince must guard himself and look upon them as secret enemies, who will help to ruin him when in adversity.

One, however, who becomes prince by favour of the populace, must maintain its friendship, which he will find easy, the people asking nothing but not to be oppressed. But one who against the people's wishes becomes prince by favour of the nobles, should above all endeavour to gain the favour of the people; this will be easy to him if he protects them. And as men, who receive good from whom they expected evil, feel under a greater obligation to their benefactor, so the populace will soon become even better disposed towards him than if he had become prince through their favour. Their prince can win their favour in many ways, which vary according to circumstances, for which no certain rule can be given, and will therefore be passed over. I will only say, in conclusion, that it is necessary for a prince to possess the friendship of the people; otherwise he has no resource in times of adversity.

Nabis, prince of the Spartans, sustained a siege by the whole of Greece and a victorious Roman army, and defended his country against them and maintained his own position. It sufficed when the danger arose for him to make sure of a few, which would not have sufficed if the populace had been hostile to him. And let no one oppose my opinion in this by quoting the trite proverb, "He who builds on the people, builds on mud"; because that is true when a private citizen relies upon the people and persuades himself that they will liberate him if he is oppressed by enemies or by the magistrates; in this case he might often find himself deceived, as were in Rome the Gracchi and in Florence Messer Georgio Scali. But when it is a prince who founds himself on this basis, one who can command and is a man of courage, and does not get frightened in adversity, and does not neglect other preparations, and one who by his own valour and measures animates the mass of the people, he will

not find himself deceived by them, and he will find that he has laid his foundations well.

Usually these principalities are in danger when the prince from the position of a civil ruler changes to an absolute one, for these princes either command themselves or by means of magistrates. In the latter case their position is weaker and more dangerous, for they are at the mercy of those citizens who are appointed magistrates, who can, especially in times of adversity, with great facility deprive them of their position, either by acting against them or by not obeying them. The prince is not in time, in such dangers, to assume absolute authority, for the citizens and subjects who are accustomed to take their orders from the magistrates are not ready in these emergencies to obey his, and he will always in difficult times lack men whom he can rely on. Such a prince cannot base himself on what he sees in quiet times, when the citizens have need of the state; for then every one is full of promises and each one is ready to die for him when death is far off; but in adversity, when the state has need of citizens, then he will find but few. And this experience is the more dangerous, in that it can only be had once. Therefore a wise prince will seek means by which his subjects will always and in every possible condition of things have need of his government, and then they will always be faithful to him.

CHAPTER X: HOW THE STRENGTH OF ALL STATES SHOULD BE MEASURED

In examining the character of these principalities it is necessary to consider another point, namely, whether the prince has such a position as to be able in case of need to maintain himself alone, or whether he has always need of the protection of others. The better to explain this I would say, that I consider those capable of maintaining themselves alone who can, through abundance of men or money, put together a sufficient army, and hold the field against any one who assails them; and I consider to have need of others, those who cannot take the field against their enemies, but are obliged to take refuge within their walls and stand on the defensive. We have already discussed the former case and will speak of it in future as occasion arises. In the second case there is nothing to be said except to encourage such a prince to provision and fortify his own town, and not to trouble about the surrounding country. And whoever has strongly fortified his town and, as regards the government of his subjects, has proceeded as we have already described and will further relate, will be attacked with great reluctance, for men are always averse to enterprises in which they foresee difficulties, and it can never appear easy to attack one who has his town stoutly defended and is not hated by the people.

The cities of Germany are absolutely free, have little surrounding country,

and obey the emperor when they choose, and they do not fear him or any other potentate that they have about them. They are fortified in such a manner that every one thinks that to reduce them would be tedious and difficult, for they all have the necessary moats and bastions, sufficient artillery, and always keep food, drink, and fuel for one year in the public storehouses. Beyond which, to keep the lower classes satisfied, and without loss to the commonwealth, they have always enough means to give them work for one year in these employments which form the nerve and life of the town, and in the industries by which the lower classes live. Military exercises are still held in high reputation, and many regulations are in force for maintaining them.

A prince, therefore, who possesses a strong city and does not make himself hated, cannot be assaulted; and if he were to be so, the assailant would be obliged to retire shamefully; for so many things change, that it is almost impossible for any one to maintain a siege for a year with his armies idle. And to those who urged that the people, having their possessions outside and seeing them burnt, will not have patience, and the long siege and self-interest will make them forget their prince, I reply that a powerful and courageous prince will always overcome those difficulties by now raising the hopes of his subjects that the evils will not last long, now impressing them with fear of the enemy's cruelty, now by dextrously assuring himself of those who appear too bold. Besides which, the enemy would naturally burn and ravage the country on first arriving and at the time when men's minds are still hot and eager to defend themselves, and therefore the prince has still less to fear, for after some time, when people have cooled down, the damage is done, the evil has been suffered, and there is no remedy, so that they are the more ready to unite with their prince, as it appears that he is under an obligation to them, their houses having been burnt and their possessions ruined in his defence.

It is the nature of men to be as much bound by the benefits that they confer as by those they receive. From which it follows that, everything considered, a prudent prince will not find it difficult to uphold the courage of his subjects both at the commencement and during a state of siege, if he possesses provisions and means to defend himself.

CHAPTER XI: OF ECCLESIASTICAL PRINCIPALITIES

It now only remains to us to speak of ecclesiastical principalities, with regard to which the difficulties lie wholly before they are possessed. They are acquired either by ability or by fortune; but are maintained without either, for they are sustained by ancient religious customs, which are so powerful and of such quality, that they keep their princes in power in whatever manner they proceed and live. These princes alone have states without defending them, have subjects

without governing them, and their states, not being defended, are not taken from them; their subjects not being governed do not resent it, and neither think nor are capable of alienating themselves from them. Only these principalities, therefore, are secure and happy. But as they are upheld by higher causes, which the human mind cannot attain to, I will abstain from speaking of them; for being exalted and maintained by God, it would be the work of a presumptuous and foolish man to discuss them. However, I might be asked how it has come about that the Church has reached such great temporal powers, when, previous to Alexander VI, the Italian potentates—and not merely the really powerful ones, but every lord or baron, however insignificant—held it in slight esteem as regards temporal power; whereas now it is dreaded by a king of France, whom it has been able to drive out of Italy, and has also been able to ruin the Venetians. . . .

CHAPTER XIV: THE DUTIES OF A PRINCE WITH REGARD TO THE MILITIA

A prince should therefore have no other aim or thought, nor take up any other thing for his study, but war and its organisation and discipline, for that is the only art that is necessary to one who commands, and it is of such virtue that it not only maintains those who are born princes, but often enables men of private fortune to attain to that rank. And one sees, on the other hand, that when princes think more of luxury than of arms, they lose their state. The chief cause of the loss of states, is the contempt of this art, and the way to acquire them is to be well versed in the same.

Francesco Sforza, through being well armed, became, from private status, Duke of Milan; his sons, through wishing to avoid the fatigue and hardship of war, from dukes became private persons. For among other evils caused by being disarmed, it renders you contemptible; which is one of those disgraceful things which a prince must guard against, as will be explained later. Because there is no comparison whatever between an armed and a disarmed man, it is not reasonable to suppose that one who is armed will obey willingly one who is unarmed, or that any unarmed man will remain safe among armed servants. For one being disdainful and the other suspicious, it is not possible for them to act well together. And therefore a prince who is ignorant of military matters, besides the other misfortunes already mentioned, cannot be esteemed by his soldiers, nor have confidence in them.

He ought, therefore, never to let his thoughts stray from the exercise of war; and in peace he ought to practise it more than in war, which he can do in two ways: by action and by study. As to action, he must, besides keeping his men well disciplined and exercised, engage continually in hunting, and thus accustom his body to hardships; and meanwhile learn the nature of the land,

how steep the mountains are, how the valleys debouch, where the plains lie, and understand the nature of rivers and swamps. To all this he should devote great attention. This knowledge is useful in two ways. In the first place, one learns to know one's country, and can the better see how to defend it. Then by means of the knowledge and experience gained in one locality, one can easily understand any other that it may be necessary to observe; for the hills and valleys, plains and rivers of Tuscany, for instance, have a certain resemblance to those of other provinces, so that from a knowledge of the country in one province one can easily arrive at a knowledge of others. And that prince who is lacking in this skill is wanting in the first essentials of a leader; for it is this which teaches how to find the enemy, take up quarters, lead armies, plan battles and lay siege to towns with advantage. . . .

But as to exercise for the mind, the prince ought to read history and study the actions of eminent men, see how they acted in warfare, examine the causes of their victories and defeats in order to imitate the former and avoid the latter, and above all, do as some men have done in the past, who have imitated some one, who has been much praised and glorified, and have always kept his deeds and actions before them, as they say Alexander the Great imitated Achilles, Cæsar Alexander, and Scipio Cyrus. And whoever reads the life of Cyrus written by Xenophon, will perceive in the life of Scipio how gloriously he imitated the former, and how, in chastity, affability, humanity, and liberality Scipio conformed to those qualities of Cyrus as described by Xenophon.

A wise prince should follow similar methods and never remain idle in peaceful times, but industriously make good use of them, so that when fortune changes she may find him prepared to resist her blows, and to prevail in adversity.

CHAPTER XV: OF THE THINGS FOR WHICH MEN, AND ESPECIALLY PRINCES, ARE PRAISED OR BLAMED

It now remains to be seen what are the methods and rules for a prince as regards his subjects and friends. And as I know that many have written of this, I fear that my writing about it may be deemed presumptuous, differing as I do, especially in this matter, from the opinions of others. But my intention being to write something of use to those who understand, it appears to me more proper to go to the real truth of the matter than to its imagination; and many have imagined republics and principalities which have never been seen or known to exist in reality; for how we live is so far removed from how we ought to live, that he who abandons what is done for what ought to be done, will rather learn to bring about his own ruin than his preservation. A man who wishes to make a profession of goodness in everything must necessarily

come to grief among so many who are not good. Therefore it is necessary for a prince, who wishes to maintain himself, to learn how not to be good, and to use this knowledge and not use it, according to the necessity of the case.

Leaving on one side, then, those things which concern only an imaginary prince, and speaking of those that are real, I state that all men, and especially princes, who are placed at a greater height, are reputed for certain qualities which bring them either praise or blame. Thus one is considered liberal, another *misero* or miserly (using a Tuscan term, seeing that *avaro* with us still means one who is rapaciously acquisitive and *misero* one who makes grudging use of his own); one a free giver, another rapacious; one cruel, another merciful; one a breaker of his word, another trustworthy; one effeminate and pusillanimous, another fierce and high-spirited; one humane, another haughty; one lascivious, another chaste; one frank, another astute; one hard, another easy; one serious, another frivolous; one religious, another an unbeliever, and so on. I know that every one will admit that it would be highly praiseworthy in a prince to possess all the above-named qualities that are reputed good, but as they cannot all be possessed or observed, human conditions not permitting of it, it is necessary that he should be prudent enough to avoid the scandal of those vices which would lose him the state, and guard himself if possible against those which will not lose it him, but if not able to, he can indulge them with less scruple. And yet he must not mind incurring the scandal of those vices, without which it would be difficult to save the state, for if one considers well, it will be found that some things which seem virtues would, if followed, lead to one's ruin, and some others which appear vices result in one's greater security and wellbeing.

CHAPTER XVII: OF CRUELTY AND CLEMENCY, AND WHETHER IT IS BETTER TO BE LOVED OR FEARED

Proceeding to the other qualities before named, I say that every prince must desire to be considered merciful and not cruel. He must, however, take care not to misuse this mercifulness. Cesare Borgia was considered cruel, but his cruelty had brought order to the Romagna, united it, and reduced it to peace and fealty. If this is considered well, it will be seen that he was really much more merciful than the Florentine people, who, to avoid the name of cruelty, allowed Pistoia to be destroyed. A prince, therefore, must not mind incurring the charge of cruelty for the purpose of keeping his subjects united and faithful; for, with a very few examples, he will be more merciful than those who, from excess of tenderness, allow disorders to arise, from whence spring bloodshed and rapine; for these as a rule injure the whole community, while the executions carried out by the prince injure only individuals. And of all princes,

it is impossible for a new prince to escape the reputation of cruelty, new states being always full of dangers. . . .

Nevertheless, he must be cautious in believing and acting, and must not be afraid of his own shadow, and must proceed in a temperate manner with prudence and humanity, so that too much confidence does not render him incautious, and too much diffidence does not render him intolerant.

From this arises the question whether it is better to be loved more than feared, or feared more than loved. The reply is, that one ought to be both feared and loved, but as it is difficult for the two to go together, it is much safer to be feared than loved, if one of the two has to be wanting. For it may be said of men in general that they are ungrateful, voluble, dissemblers, anxious to avoid danger, and covetous of gain; as long as you benefit them, they are entirely yours; they offer you their blood, their goods, their life, and their children, as I have before said, when the necessity is remote; but when it approaches, they revolt. And the prince who has relied solely on their words, without making other preparations, is ruined; for the friendship which is gained by purchase and not through grandeur and nobility of spirit is bought but not secured, and at a pinch is not to be expended in your service. And men have less scruple in offending one who makes himself loved than one who makes himself feared; for love is held by a chain of obligation which, men being selfish, is broken whenever it serves their purpose; but fear is maintained by a dread punishment which never fails.

Still, a prince should make himself feared in such a way that if he does not gain love, he at any rate avoids hatred; for fear and the absence of hatred may well go together, and will be always attained by one who abstains from interfering with the property of his citizens and subjects or with their women. And when he is obliged to take the life of any one, let him do so when there is a proper justification and manifest reason for it; but above all he must abstain from taking the property of others, for men forget more easily the death of their father than the loss of their patrimony. Then also pretexts for seizing property are never wanting, and one who begins to live by rapine will always find some reason for taking the goods of others, whereas causes for taking life are rarer and more fleeting.

But when the prince is with his army and has a large number of soldiers under his control, then it is extremely necessary that he should not mind being thought cruel; for without this reputation he could not keep an army united or disposed to any duty. Among the noteworthy actions of Hannibal is numbered this, that although he had an enormous army, composed of men of all nations and fighting in foreign countries, there never arose any dissension either among them or against the prince, either in good fortune or in bad.

This could not be due to anything but his inhuman cruelty, which together with his infinite other virtues, made him always venerated and terrible in the sight of his soldiers, and without it his other virtues would not have sufficed to produce that effect. Thoughtless writers admire on the one hand his actions, and on the other blame the principal cause of them.

And that it is true that his other virtues would not have sufficed may be seen from the case of Scipio (famous not only in regard to his own times, but all times of which memory remains), whose armies rebelled against him in Spain, which arose from nothing but his excessive kindness, which allowed more license to the soldiers than was consonant with military discipline. He was reproached with this in the senate by Fabius Maximus, who called him a corrupter of the Roman militia. Locri having been destroyed by one of Scipio's officers was not revenged by him, nor was the insolence of that officer punished, simply by reason of his easy nature; so much so, that some one wishing to excuse him in the senate said that there were many men who knew rather how not to err, than how to correct the errors of others. This disposition would in time have tarnished the fame and glory of Scipio had he persevered in it under the empire, but living under the rule of the senate this harmful quality was not only concealed but became a glory to him.

I conclude, therefore, with regard to being feared and loved, that men love at their own free will, but fear at the will of the prince, and that a wise prince must rely on what is in his power and not on what is in the power of others, and he must only contrive to avoid incurring hatred, as has been explained.

CHAPTER XVIII: IN WHAT WAY PRINCES MUST KEEP FAITH

How laudable it is for a prince to keep good faith and live with integrity, and not with astuteness, every one knows. Still the experience of our times shows those princes to have done great things who have had little regard for good faith, and have been able by astuteness to confuse men's brains, and who have ultimately overcome those who have made loyalty their foundation.

You must know, then, that there are two methods of fighting, the one by law, the other by force: the first method is that of men, the second of beasts; but as the first method is often insufficient, one must have recourse to the second. It is therefore necessary for a prince to know well how to use both the beast and the man. This was covertly taught to rulers by ancient writers, who relate how Achilles and many others of those ancient princes were given to Chiron the centaur to be brought up and educated under his discipline. The parable of this semi-animal, semi-human teacher is meant to indicate that a prince must know how to use both natures, and that the one without the other is not durable.

A prince being thus obliged to know well how to act as a beast must imitate the fox and the lion, for the lion cannot protect himself from traps, and the fox cannot defend himself from wolves. One must therefore be a fox to recognize traps, and a lion to frighten wolves. Those that wish to be only lions do not understand this. Therefore, a prudent ruler ought not to keep faith when by so doing it would be against his interest, and when the reasons which made him bind himself no longer exist. If men were all good, this precept would not be a good one; but as they are bad, and would not observe their faith with you, so you are not bound to keep faith with them. Nor have legitimate grounds ever failed a prince who wished to show colourable excuse for the non-fulfilment of his promise. Of this one could furnish an infinite number of modern examples, and show how many times peace has been broken, and how many promises rendered worthless, by the faithlessness of princes, and those that have been best able to imitate the fox have succeeded best. But it is necessary to be able to disguise this character well, and to be a great feigner and dissembler; and men are so simple and so ready to obey present necessities, that one who deceives will always find those who allow themselves to be deceived.

I will only mention one modern instance. Alexander VI did nothing else but deceive men, he thought of nothing else, and found the occasion for it; no man was ever more able to give assurances, or affirmed things with stronger oaths, and no man observed them less; however, he always succeeded in his deceptions, as he well knew this aspect of things.

It is not, therefore, necessary for a prince to have all the above-named qualities, but it is very necessary to seem to have them. I would even be bold to say that to possess them and always to observe them is dangerous, but to appear to possess them is useful. Thus it is well to seem merciful, faithful, humane, sincere, religious, and also to be so; but you must have the mind so disposed that when it is needful to be otherwise you may be able to change to the opposite qualities. And it must be understood that a prince, and especially a new prince, cannot observe all those things which are considered good in men, being often obliged, in order to maintain the state, to act against faith, against charity, against humanity, and against religion. And, therefore, he must have a mind disposed to adapt itself according to the wind, and as the variations of fortune dictate, and, as I said before, not deviate from what is good, if possible, but be able to do evil if constrained.

A prince must take great care that nothing goes out of his mouth which is not full of the above-named five qualities, and, to see and hear him, he should seem to be all mercy, faith, integrity, humanity, and religion. And nothing is more necessary than to seem to have this last quality, for men in general judge

more by the eyes than by the hands, for every one can see, but very few have to feel. Everybody sees what you appear to be, few feel what you are, and those few will not dare to oppose themselves to the many, who have the majesty of the state to defend them; and in the actions of men, and especially of princes, from which there is no appeal, the end justifies the means. Let a prince therefore aim at conquering and maintaining the state, and the means will always be judged honourable and praised by every one, for the vulgar is always taken by appearances and the issue of the event; and the world consists only of the vulgar, and the few who are not vulgar are isolated when the many have a rallying point in the prince. A certain prince of the present time, whom it is well not to name, never does anything but preach peace and good faith, but he is really a great enemy to both, and either of them, had he observed them, would have lost him state or reputation on many occasions.

CHAPTER XXV: HOW MUCH FORTUNE CAN DO IN HUMAN AFFAIRS

AND HOW IT MAY BE OPPOSED

It is not unknown to me how many have been and are of opinion that worldly events are so governed by fortune and by God, that men cannot by their prudence change them, and that on the contrary there is no remedy whatever, and for this they may judge it to be useless to toil much about them, but let things be ruled by chance. This opinion has been more held in our day, from the great changes that have been seen, and are daily seen, beyond every human conjecture. When I think about them, at times I am partly inclined to share this opinion. Nevertheless, that our freewill may not be altogether extinguished, I think it may be true that fortune is the ruler of half our actions, but that she allows the other half or thereabouts to be governed by us. I would compare her to an impetuous river that, when turbulent, inundates the plains, casts down trees and buildings, removes earth from this side and places it on the other; every one flees before it, and everything yields to its fury without being able to oppose it; and yet though it is of such a kind, still when it is quiet, men can make provision against it by dykes and banks, so that when it rises it will either go into a canal or its rush will not be so wild and dangerous. So it is with fortune, which shows her power where no measures have been taken to resist her, and directs her fury where she knows that no dykes or barriers have been made to hold her. And if you regard Italy, which has been the seat of these changes, and who has given the impulse to them, you will see her to be a country without dykes or banks of any kind. If she had been protected by proper measures, like Germany, Spain, and France, this inundation would not have caused the great changes that it has, or would not have happened at all.

This must suffice as regards opposition to fortune in general. But limiting

myself more to particular cases, I would point out how one sees a certain prince to-day fortunate and to-morrow ruined, without seeing that he has changed in character or otherwise. I believe this arises in the first place from the causes that we have already discussed at length; that is to say, because the prince who bases himself entirely on fortune is ruined when fortune changes. I also believe that he is happy whose mode of procedure accords with the needs of the times, and similarly he is unfortunate whose mode of procedure is opposed to the times. For one sees that men in those things which lead them to the aim that each one has in view, namely, glory and riches, proceed in various ways; one with circumspection, another with impetuosity, one by violence, another by cunning, one with patience, another with the reverse; and each by these diverse ways may arrive at his aim. One sees also two cautious men, one of whom succeeds in his designs, and the other not, and in the same way two men succeed equally by different methods, one being cautious, the other impetuous, which arises only from the nature of the times, which does or does not conform to their method of procedure. From this it results, as I have said, that two men, acting differently, attain the same effect, and of two others acting in the same way, one attains his goal and not the other. On this depend also the changes in prosperity, for if it happens that time and circumstances are favourable to one who acts with caution and prudence he will be successful, but if time and circumstances change he will be ruined, because he does not change his mode of procedure. No man is found so prudent as to be able to adapt himself to this, either because he cannot deviate from that to which his nature disposes him, or else because having always prospered by walking in one path, he cannot persuade himself that it is well to leave it; and therefore the cautious man, when it is time to act suddenly, does not know how to do so and is consequently ruined; for if one could change one's nature with time and circumstances, fortune would never change.

Pope Julius II acted impetuously in everything he did and found the times and conditions so in conformity with that mode of procedure, that he always obtained a good result. Consider the first war that he made against Bologna while Messer Giovanni Bentivogli was still living. The Venetians were not pleased with it, neither was the King of Spain, France was conferring with him over the enterprise, notwithstanding which, owing to his fierce and impetuous disposition, he engaged personally in the expedition. This move caused both Spain and the Venetians to halt and hesitate, the latter through fear, the former through the desire to recover the entire kingdom of Naples. On the other hand, he engaged with him the King of France, because seeing him make this move and desiring his friendship in order to put down the Venetians, that king judged that he could not refuse him his troops without

manifest injury. Thus Julius by his impetuous move achieved what no other pontiff with the utmost human prudence would have succeeded in doing, because, if he had waited till all arrangements had been made and everything settled before leaving Rome, as any other pontiff would have done, it would never have succeeded. For the King of France would have found a thousand excuses, and the others would have inspired him with a thousand fears. I will omit his other actions, which were all of this kind and which all succeeded well, and the shortness of his life did not suffer him to experience the contrary, for had times followed in which it was necessary to act with caution, his ruin would have resulted, for he would never have deviated from these methods to which his nature disposed him.

I conclude then that fortune varying and men remaining fixed in their ways, they are successful so long as these ways conform to circumstances, but when they are opposed then they are unsuccessful. I certainly think that it is better to be impetuous than cautious, for fortune is a woman, and it is necessary, if you wish to master her, to conquer her by force; and it can be seen that she lets herself be overcome by the bold rather than by those who proceed coldly. And therefore, like a woman, she is always a friend to the young, because they are less cautious, fiercer, and master her with greater audacity.

CHAPTER XXVI: EXHORTATION TO LIBERATE ITALY FROM THE BARBARIANS

Having now considered all the things we have spoken of, and thought within myself whether at present the time was not propitious in Italy for a new prince, and if there was not a state of things which offered an opportunity to a prudent and capable man to introduce a new system that would do honour to himself and good to the mass of the people, it seems to me that so many things concur to favour a new ruler that I do not know of any time more fitting for such an enterprise. And if, as I said, it was necessary in order that the power of Moses should be displayed that the people of Israel should be slaves in Egypt, and to give scope for the greatness and courage of Cyrus that the Persians should be oppressed by the Medes, and to illustrate the pre-eminence of Theseus that the Athenians should be dispersed, so at the present time, in order that the might of an Italian genius might be recognised, it was necessary that Italy should be reduced to her present condition, and that she should be more enslaved than the Hebrews, more oppressed than the Persians, and more scattered than the Athenians; without a head, without order, beaten, despoiled, lacerated, and overrun, and that she should have suffered ruin of every kind.

And although before now a gleam of hope has appeared which gave hope

that some individual might be appointed by God for her redemption, yet at the highest summit of his career he was thrown aside by fortune, so that now, almost lifeless, she awaits one who may heal her wounds and put a stop to the pillaging of Lombardy, to the rapacity and extortion in the Kingdom of Naples and in Tuscany, and cure her of those sores which have long been festering. Behold how she prays God to send some one to redeem her from this barbarous cruelty and insolence. Behold her ready and willing to follow any standard if only there be some one to raise it. There is nothing now she can hope for but that your illustrious house may place itself at the head of this redemption, being by its power and fortune so exalted, and being favoured by God and the Church, of which it is now the ruler. Nor will this be very difficult, if you call to mind the actions and lives of the men I have named. And although those men were rare and marvellous, they were none the less men, and each of them had less opportunity than the present, for their enterprise was not juster than this, nor easier, nor was God more their friend than He is yours. Here is a just cause; "*iustum enim est bellum quibus necessarium, et pia arma ubi nulla nisi in armis spes est.*"¹ Here is the greatest willingness, nor can there be great difficulty where there is great willingness, provided that the measures are adopted of those whom I have set before you as examples. Besides this, unexampled wonders have been seen here performed by God, the sea has been opened, a cloud has shown you the road, the rock has given forth water, manna has rained, and everything has contributed to your greatness, the remainder must be done by you. God will not do everything, in order not to deprive us of freewill and the portion of the glory that falls to our lot.

It is no marvel that none of the before-mentioned Italians have done that which it is to be hoped your illustrious house may do; and if in so many revolutions in Italy and so many warlike operations, it always seems as if military capacity were extinct, this is because the ancient methods were not good, and no one has arisen who knew how to discover new ones. Nothing does so much honour to a newly-risen man than the new laws and measures which he introduces. These things, when they are well based and have greatness in them, render him revered and admired, and there is not lacking scope in Italy for the introduction of every kind of new organisation. Here there is great virtue in the members, if it were not wanting in the heads. Look how in duels and in contests of a few the Italians are superior in strength, dexterity, and intelligence. But when it comes to armies they make a poor show; which proceeds entirely from the weakness of the leaders, for those that know are not obeyed, and every one thinks that he knows, there being hitherto nobody who has

¹ [For war is just when it is necessary, and arms are holy where there is no hope but in arms.]

raised himself so high both by valour and fortune as to make the others yield. Hence it comes about that for so long a time, in all the wars waged during the last twenty years, whenever there has been an entirely Italian army it has always been a failure, as witness first Taro, then Alexandria, Capua, Genoa, Vailà, Bologna, and Mestri.

If your illustrious house, therefore, wishes to follow those great men who redeemed their countries, it is before all things necessary, as the true foundation of every undertaking, to provide yourself with your own forces, for you cannot have more faithful, or truer and better soldiers. And although each one of them may be good, they will united become even better when they see themselves commanded by their prince, and honoured and favoured by him. It is therefore necessary to prepare such forces in order to be able with Italian prowess to defend the country from foreigners. And although both the Swiss and Spanish infantry are deemed terrible, none the less they each have their defects, so that a third method of array might not only oppose them, but be confident of overcoming them. For the Spaniards cannot sustain the attack of cavalry, and the Swiss have to fear infantry which meets them with resolution equal to their own. From which it has resulted, as will be seen by experience, that the Spaniards cannot sustain the attack of French cavalry, and the Swiss are overthrown by Spanish infantry. And although a complete example of the latter has not been seen, yet an instance was furnished in the battle of Ravenna, where the Spanish infantry attacked the German battalions, which are organised in the same way as the Swiss. The Spaniards, through their bodily agility and aided by their bucklers, had entered between and under their pikes and were in a position to attack them safely without the Germans being able to defend themselves; and if the cavalry had not charged them they would have utterly destroyed them. Knowing therefore the defects of both these kinds of infantry, a third kind can be created which can resist cavalry and need not fear infantry, and this will be done by the choice of arms and a new organisation. And these are the things which, when newly introduced, give reputation and grandeur to a new prince.

This opportunity must not, therefore, be allowed to pass, so that Italy may at length find her liberator. I cannot express the love with which he would be received in all those provinces which have suffered under these foreign invasions, with what thirst for vengeance, with what steadfast faith, with what love, with what grateful tears. What doors would be closed against him? What people would refuse him obedience? What envy could oppose him? What Italian would withhold allegiance? This barbarous domination stinks in the nostrils of every one. May your illustrious house therefore assume this task

with that courage and those hopes which are inspired by a just cause, so that under its banner our fatherland may be raised up, and under its auspices be verified that saying of Petrarch:

Valour against fell wrath
Will take up arms; and be the combat quickly sped!
For, sure, the ancient worth,
That in Italians stirs the heart, is not yet dead.

JEAN BODIN

AS THE NATIONAL, DYNASTIC STATE continued its process of growth in the sixteenth century, a more secular philosophy of government and society came into being. One of the most important of the newer political thinkers was Jean Bodin (1530-96), a lawyer and social philosopher who lived through the period of religious and civil strife in France which preceded the reestablishment of strong government by the first Bourbon king, Henry IV. Bodin was a good representative of the learning of his own day. He combined classical erudition and familiarity with the ideas of his contemporaries with the practical common sense displayed in his famous economic work, the *Reply to the Paradox of Monsieur de Malestroit* (see Chapter V below). He dealt with problems of political philosophy with great awareness of the events of the day, and in a manner appropriate to an age of increasing absolutism. Bodin's principal work, from which the first selection is taken, was his *Six Books of a Republic* (1576), translated by R. Knolles in 1606 from the original French and subsequent Latin versions. The second selection is from his *Method for the Easy Comprehension of History* (1566), as translated by Beatrice Reynolds (New York, Columbia University Press, 1945).



SIX BOOKS OF A REPUBLIC

THEY WHICH HAVE WRITTEN of the duties of magistrates, and other such like books, have deceived themselves, in maintaining that the power of the people is greater than the prince; a thing which oft times causeth the true subjects to revolt from the obedience which they owe unto their sovereign prince, and ministreth matter of great troubles in Commonweals. Of which their opinion, there is neither reason nor ground, except the king be captive, furious [*i.e.*, demented], or in his infancy, and so needeth to have a protector or lieutenant appointed him by the suffrages of the people. For otherwise if the king should be subject unto the assemblies and decrees of the people, he should neither be king nor sovereign; and the Commonwealth neither realm nor monarchy, but a mere Aristocracy of many lords in power equal, where the greater part commandeth the less in general, and everyone in particular: and wherein the edicts and laws are not to be published in the name of him that ruleth, but in the name and authority of the states, as in an Aristocratical Seignory, where he that is chief hath no power, but oweth obeisance unto the commandments

of the seignory: unto whom yet they all and every one of them feign themselves to owe their faith and obedience: which are all things so absurd, as hard it is to say which is furthest from reason.

So when Charles the eighth, the French king, being then but about fourteen years old, held a Parliament at Tours, although the power of the parliament was never before nor after so great as in those times, yet Relli, then speaker for the people, turning himself unto the king, thus beginneth his oration, which is yet in print extant: "Most high, most mighty and most Christian king, our natural and only lord, we your humble and obedient subjects, which are come hither by your command, in all humility, reverence and subjection, present ourselves before you, etc., and have given me in charge from all this noble assembly, to declare unto you the good will and hearty desire they have with a most firm resolution and purpose to serve, obey and aid you in all your affairs, commandments and pleasures." In brief, all that his oration and speech is nothing else but a declaration of all their good wills towards the king, and of their humble obedience and loyalty. The like speech almost we see was also used in the parliament at Orleans, unto king Charles the ninth, when he was yet but scarce eleven years old. Neither are the parliaments of Spain otherwise holden, that but even a greater obedience and a greater loyalty of all the people in general is given unto the King, as is to be seen in the acts of the parliament holden at Toledo by king Philip, in the year 1552, when he was yet scarce full twenty-five years old. The answers also of the king of Spain unto the requests and humble supplications of his people, are given in these words: "We will," or else "We decree and ordain"—and such other like answers, importing the refusal or consent of the prince; yea the subsidy that the subjects pay unto the king of Spain, they call service. Whereby it appeareth them to be deceived, which say that the kings of Arragon cannot derogate from the privileges of the states, by reason of the privileges given them by king James, in the year 1260, and confirmed in the year 1320. For as the privileges were of no force after the death of the king, without the confirmation of his successors; so also the same confirmation of the rest of the kings following was necessary, for that by the law no man can reign over his equals. And albeit that in the parliaments of England, which have commonly been holden every third year, there the states seem to have a very great liberty (as the Northern people almost all breathe thereafter) yet so it is, that in effect they proceed not, but by way of supplications and requests unto the king. As in the Parliament of England holden in October 1566, when the estates by a common consent had resolved (as they gave the queen to understand) not to entreat of anything, until she had first appointed who should succeed her in the crown; She gave them no other answer, But that they were not to make her grave before she

were dead. All those resolutions were to no purpose without her good liking: neither did she in that anything that they required.

METHOD FOR THE EASY COMPREHENSION OF HISTORY

Since history for the most part deals with the state and with the changes taking place within it, to achieve an understanding of the subject we must explain briefly the origins, developed form, and ends of principalities, especially since there is nothing more fruitful and beneficial in all history. Other things, indeed, seem very valuable for a knowledge of the nature of the soul and really admirable for shaping the morals of each man, but the things gathered from the reading of historians about the beginnings of cities, their growth, matured form, decline, and fall are so very necessary, not only to individuals but to everyone, that Aristotle thought nothing was more effective in establishing and maintaining societies of men than to be informed in the science of governing a state. Yet, about this matter the opinions of great men are so varied and divergent that it is noteworthy that in so many centuries no one until now has explained what is the best kind of state.

Since Plato thought that no science of managing a state is so difficult to understand that no one could grasp it, he advocated this method of formulating laws and establishing the government on a firm foundation; if sage men, having collected all the customs and all the laws of all countries, should compare them, they might compound from them the best kind of state. Aristotle seems to have followed this plan as far as he could, yet he did not carry it out. Following Aristotle, Polybius, Dionysius of Halicarnassus, Plutarch, Dio, and Tacitus (I omit those whose writings have perished) left many excellent and important ideas about the state scattered throughout their books.

Machiavelli also wrote many things about government—the first, I think, for about 1,200 years after barbarism had overwhelmed everything. [His sayings] are on the lips of everyone, and there is no doubt but that he would have written more fully and more effectively and with a greater regard for truth, if he had combined a knowledge of the writings of ancient philosophers and historians with experience. Jovius reports that he lacked this qualification, and the work speaks for itself. Following him, Patrizzi, Robert Breton, and Garimberto composed serious and lengthy treatises about developing customs, curbing the people, educating a prince, and founding laws, but made only slight reference to the development of the state. There is nothing about changes of government, and they do not even touch upon those things which

Aristotle called the devices or secrets of princes, and Tacitus, the secrets of empire. Others place before the eyes as though historical some ideal types of government, with no underlying system. I except Contarini, who not only held up for admiration the type of the Venetian Republic, which he himself thought was most excellent, but even proposed it for imitation. These men are almost the only ones whose writings we have about the state. Even if they had written as accurately on this subject as they ought, I should nevertheless in this short *Method* have considered it necessary to devote attention to the matter. How much more so if the treatment of many writers is so inadequate! . . .

What Is Sovereignty? . . . I see the sovereignty of the state involved in five functions. One, and it is the principal one, is creating the most important magistrates and defining the office of each one; the second, proclaiming and annulling laws; the third, declaring war and peace; the fourth, receiving final appeal from all magistrates; the last, the power of life and death when the law itself leaves no room for extenuation or grace. These things are never granted to the magistrates in a well-constituted state, unless because of pressing necessity and out of due order. If a magistrate does make decrees about these things, the sanction should reside with the prince or people, depending upon the type of each state. It is evident that these things are peculiar to the prince in the opinion of the jurisconsults, and indeed many other attributes; for example, the power of laying taxes and tribute and of striking coins. This they say belongs to the prince alone, although these things were often granted to magistrates in former times and are even in these days. . . .

. . . The right of sovereignty is chiefly displayed in these specified attributes. Therefore, in every state one ought to investigate who can give authority to magistrates, who can take it away, who can make or repeal laws—whether one citizen or a small part of the citizens or a greater part. When this has been ascertained, the type of government is easily understood. There can be no fourth, and indeed none can be conceived, for virtue and viciousness do not create a type of rule. Whether the prince is unjust or worthy, nevertheless the state is still a monarchy. The same thing must be said about oligarchy and the rule of the people, who, while they have no powers but the creation of magistrates, still have the sovereignty, and on them the form of government necessarily depends. . . .

The Best Type of State. Altogether there are three kinds of government—that is, the rule of one, of several, and of all—and so we must consider not only how to avoid the degraded forms, but also how to select the best among the worthy. The tyranny of one man is pernicious; even worse is the tyranny of more than one, which is called oligarchy; worst, finally, is that dominion

of the mob, released from all law, which the Greeks called ochlocracy and Cicero even called tyranny. It is next to anarchy, in which no one obeys and no one commands; there are no rewards for good deeds, no punishments for crimes. Then, if we reject these forms we must choose a popular form, an aristocratic form, or a kingdom. About the popular form I should think nothing ought to be written if it were not supported by the opinions of many people. N. Machiavelli, for example, is convinced by arguments and reasoning that it is the most excellent. But on this question I think he is less creditable, especially since he overthrows the premises of his discussion. In the *Institution of the Prince*, at the very beginning, he assumed only two forms of rule, monarchy and republic. The same author, in his book on Livy, affirmed that the Venetian state is the best of all, yet he thought it was popular, for in the third book he wrote that popular forms of government always have been more praiseworthy, in opposition to the approved opinion of the philosophers, historians, and of all great men. To omit the others, Xenophon, that good general and philosopher, testified that popular power is altogether inimical to virtues; it cannot be established or retained except by driving out all the good men. This Seneca put with brevity, "For who, if he admires virtue," said he, "can please the people?" Aristotle also supported the same position, especially in that passage where he asserted with effective arguments that some were born to rule, others to obey. But the error originated with Plato, who, after he had established a popular state, introduced dangerous equalization. Then the Academicians who came from his school amplified his reasons, assuming that society is maintained by harmony, harmony by equality of justice, and equality by a popular state. Then all the citizens are made one and the same the most perfect equality and likeness, and this should be the aim of human society. Aristotle did not confute the hypothesis of Plato, but he thought that Plato had erred especially in trying to make the citizenship one and the same; in that way the state is destroyed and becomes a family. This reasoning seems to me to be ineffective; but I judge the hypothesis not only absurd, as Aristotle would have it, but also clearly false. For if we refer all things to nature, which is chief of all things, it becomes plain that this world, which is superior to anything ever joined together by immortal God, consists of unequal parts and mutually discordant elements and contrary motions of the spheres, so that if the harmony through dissimilarity is taken away, the whole will be ruined. In the same way the best republic, if it imitates nature, which it must do, is held together stable and unshaken by those commanding and obeying, servants and lords, powerful and needy, good and wicked, strong and weak, as if by the mixed association of unlike minds. As on the lyre and in song itself the skilled ears cannot endure that sameness of harmony which

is called unison; on the contrary, a pleasing harmony is produced by dissimilar notes, deep and high, combined in accordance with certain rules, so also no normal person could endure equality, or rather that democratic uniformity in the state. On the other hand, a state graduated from the highest to the lowest, with the middle orders scattered between in moderate proportion, fits together in a marvelous way through complementary action. It is true this gives rise to that blight of all public affairs, the fact that people who are unlike from a certain aspect think that they are altogether unlike; but, those who are in a certain degree unlike, think that they are altogether alike. If, therefore, such is the disparity of men among themselves, such the disparity of natural talent, who would divide authority, resources, honors, and offices on the basis of equality? It is as if the same food and clothing were given to boys, grown men, old men, the sick, and the strong and by this reasoning they think to preserve equality. Since Plato, in the *Republic*, forbade equality of possessions (for he enrolled four classes of citizens with different ratings), and those who followed after, the Academicians, who supported popular states, always forbade equal distribution of goods, lest they overthrow the foundations of states set up chiefly to protect their own possessions—why did they not also eliminate equality of power?

The popular form of government is no other than this sharing of sovereignty. It was not so absurd to equate all the resources of everyone as to equate their share of power, because every man can enjoy wealth, but wisdom for ruling is the natural capacity of very few. What stupider than the plebs? What more immoderate? When they have been stirred up against good people, what more hysterical? Rightly Livy said, "The Nature of the multitude is such that it either serves meekly or rules insolently." There is no need of examples. Oh, that so many did not exist! Those who praise the popular rule of the Romans seem not to have read their historians. What more tragic than the frequent secessions of the plebs from the patricians? What more shameful than that citizen with citizen so many times fought with stones, scythes, and swords, in the midst of the town, in the market place, in the camp, in the assemblies, in the senate, in the temple of Jupiter Capitolinus? Said Cicero, "In the Forum we have often seen stonings; not often, but yet too often, swords." Appian wrote that Apuleius Saturninus, tribune of the plebs, made laws backed by workmen and armed bands and killed the lawfully elected consul after citizens were driven from the scene by other citizens in a disgraceful stoning. Indeed it used to happen with good reason that candidates came to the meetings with weapons beneath their togas, in the company of a veritable army. I omit the assemblies broken up by trickery, the largess, the murders, and the frequent summonings of the people from the fields and important pursuits

into the town; I omit the countless introductions of law, repeals, modifications, additions, and invalidations, the many plebiscites and *senatus consulta* mutually contradictory, which in a brief time could be changed according to the whim of the plebs. These things occurred not only at Rome, but also at Athens; among the Athenians access to the councils of state, which ought to be sacred, was coveted by the plebs; that is, wisdom by the unbalanced and furious. As Anacharsis said pithily, at Athens wise men express opinions in the assembly, but the stupid judge. So when Philip invaded Attica, the people, who had heard the news, gathered together in the theater at dawn, as we may read in Demosthenes. They had not been summoned by any magistrate, and such great terror was felt that no one dared to address the crowd. The same Demosthenes, in his speech about the state, reported that the orators were the leaders of the government; to these the generals were subordinate, and the laws and decisions were made by the votes of about three hundred people; the rest of the citizens were at their mercy. Among the Florentines, likewise, a share in the counsels was desired by the plebs, although often they were besieged by the enemy. So the fact that both states lasted for a long time (although in a wretched condition) must be attributed to Aristides, Pericles, Conon, and Cosimo and Lorenzo de' Medici, who, however, were exiled by their people or heavily fined. I know not why Machiavelli, a Florentine, praised popular rule so highly, since from his history it is plain that of all states none more unhappy than Florence existed as long as it was democratic. . . .

Royal Power in Accord with Universal Empire. If we should inspect nature more closely, we should gaze upon monarchy everywhere. To make a beginning from small things, we see the king among the bees, the leader in the herd, the buck among the flocks or the bellwether (as among the cranes themselves the many follow one), and in the separate natures of things some one object excels: thus, adamant among the gems, gold among the metals, the sun among the stars, and finally God alone, the prince and author of the world. Moreover, they say that among the evil spirits one alone is supreme. But, not to continue indefinitely, what is a family other than the true image of a state? Yet this is directed by the rule of one, who presents, not a fictitious image, like the doge of Venice, but the true picture of a king. If, then, Plato were to change the nature of things and set up several lords in the same family, several heads for the same body, several pilots on a ship, and finally several leaders among bees, flocks, herds (if only the farmers will permit); if at length he would join several gods into an association for ruling, then I would agree with him that the rule of the optimates is better than a kingdom. But if the entire nature of things protests, reason dissents, lasting experience objects,

I do not see why we ought to follow Plato or anyone else and violate nature. What Homer has said, "No good thing is a number of masters; let one man be master, one man be king." Euripides has repeated, "Power belongs to one man in the homes and in the cities. . . ."

This is the principal reason why men praise the state of the Venetians so much—one lives there in the greatest freedom. However, states are not established for the sake of liberty, but for the sake of living well. Of course there is hardly ever any place for virtue in a city where each man indulges his own habits and desires so eagerly. If we measure the happiness of man by his resources, honors, dominion, pleasure, and unrestrained freedom, happy is the country which abounds in all these; but if we consider virtue preferable, I do not see why Venice is the most outstanding of all states. No evidence of a badly constituted state seemed to Plato greater than a multitude of magistrates and physicians—and there never were more than among the Athenians long ago and today among the Venetians. So it ought not to seem strange that they usually spend the greater part of the year in choosing magistrates. Moreover, this excessive number of magistrates is due either to an insatiable desire for honors and command, or to an endeavor to restrain frauds and crimes, or to both. But the state of Lycurgus, which is praised in the words of everyone, had no magistrates at first except the senate of thirty men who held office for life. The great *paedonomus*, master of the youths, lacked power. They are really mistaken who think that a multitude of officials inspires a love of virtue in the citizens, since nothing increases more the desire to rule and to seek riches. Indeed, those who have once enjoyed the sweetness of command not only have forgotten how to obey but also cling to power beyond their term and lay it down reluctantly.

Wherefore among us recently, with the approval of all orders, a law has prudently been passed that the great number of magistrates, which under King Henry was endlessly increased by the evil arts of certain men, should be reduced to the former number; for what does this accumulation of magistrates result in if not thefts, avarice, corruption, extravagance, a lust for domination, and multiplying of lawsuits? Certainly there was never greater impunity for crimes and excesses. Therefore a few magistrates are sufficient, provided that they are sought for excellence alone. By this system all citizens are necessarily inspired to virtue and well-doing, so that they may attain honors as a reward. The hope for these will come to everyone; the attainment, to a few.

Then authority, magistrates, and honors do not make happy citizens, much less too great liberty, which brings ruin even to a well-constituted state. Servitude is base; yet sinful license is even more base. Still, if it is servile to bear

the authority of a king, it ought also to seem servile to obey one's parents. Often it has seemed remarkable to me that the Venetians, who so wisely arrange all [other] things, do not allow censors to be chosen, as once the Romans did and today the men of Lucca and the Genoese also. This could be done very conveniently by the procurators of St. Mark who have reached their present office by rising through the ranks. The popes whose function this property is and who used to guide temporal rulers along the path of duty by appealing to their piety, now themselves need the most severe censors. The office of censoring is so solemn and so necessary in the state that it appears to have contributed more definitely to the success of the Roman government than any other single factor. This was understood after the censorship had been removed, for then the splendor and majesty of the state along with the virtue of the early Romans disappeared. The Venetian state suffers also from the danger that when they admit a countless multitude of foreigners and resident aliens, they risk being driven from control by these newcomers. . . .

In a Monarchy Election Should Be Avoided. We must now advance suitable arguments to refute the theory of elective monarchy. Aristotle thought it dangerous and clearly uncivilized that kings should be dynastic. Others have made no distinction between elective and dynastic kings. In Book III, at the end, he believed that the Spartans were inferior to the Carthaginians because the latter elected kings; the kings of the former were descended from Hercules. Then the Egyptians also must have been uncivilized—Assyrians, Macedonians, Phoenicians, Ethiopians, Abyssinians, Turks, Indians, Tartars, Russians, Poles, Danes, Swedes, Britons, Italians, French, Spanish, and Americans—finally, all the peoples of the earth except Germans, Swiss with their allies, Venetians, Ragusans, Lucchese, and Genoese, who are ruled by the power of optimates or have popular governments. But if so many people are uncivilized because they have hereditary kings, oh, where will be the abode of culture? The fact that Aristotle thought it disastrous, however, seems to me much more absurd. For in the first place an interregnum is clearly dangerous, since the state, like a ship without a pilot, is tossed about by the waves of sedition and often sinks. This happened after the death of Emperor Frederick II. The country, in a state of anarchy, was without an emperor for eighteen years on account of the civil war among the princes. Moreover, what could be more wretched than the unchecked plundering of the plebs by the mamelukes in an interregnum between the sultans of Egypt. What more wicked than that in the interregnum between the popes of Rome all things were given over with impunity to slaughter and violation.

Furthermore, the system of electing a prince is plainly impracticable. It cannot be done well by the whole people, as Aristotle would like it, since

logical ability and wisdom are lacking. Therefore it must be done by the few and the best. But the people will resent this, and the army will refuse. Hence came those serious and lasting discords between the Roman senate and the praetorians. Each man who pleased the senate displeased the legions. Often the legions in various places and contemporaneously created several emperors, so that at one moment there were thirty. Hence civil wars arose, murder, proscriptions of goods, and a most unhappy chaos in the whole empire. It is even more disastrous that every very wicked man gains power, while the good repudiate such a burden voluntarily. If by chance a prince were so sage that he wished to proclaim a good man as his successor to power, as Nerva, Trajan, Hadrian, and Antoninus Pius wisely did, electors of kings would think it uncivilized. But since the hope of power comes to all, though attainment to only one, after the pilot has been killed the approach to power must lie open to robbers and poisoners. Because there is no more stable foundation for a state than the respect of the subjects for their prince, how can it happen that the people do not scorn the rule of a man who is thought to have been born in an obscure station or was once an equal, or has sought control through crime or riches? Nothing was more commonplace than the slaughter of Roman emperors like cattle by their own men. No less than thirty can be counted. The state never was more quiet than when the son had inherited the power of his father, which Aristotle thought was dangerous. Among the German princes wars for control did not cease until the father designated his son as Caesar. For example, Henry III had his son elected when he was only a boy. He, in turn, adopted his grandson. Charles IV arranged that his son should be his successor; the latter, his brother Sigismund, who adopted his son-in-law. Frederick selected Maximilian; the latter, his grandson. The rest for the most part died, through conspiracies or poison—Rudolph, Albert, Henry VII, Frederick III, Louis the Bavarian, Charles, grandson of Henry, and Gunther.

But those assemblies of the kings of Poland and Hungary, which they themselves called *cari*, are held in arms; because of which too often civil wars arise. If the family of the Jagellons had not won the suffrage by right of blood, that empire would have perished long ago. There were not more than fifteen elected sultans of Egypt. Seven were killed by the mamelukes, by whom they had been elected, namely, Tughi, Malik Shah, Kotuz, Bunduqdar, Mohammed, Chirkouh, and Janbalat. But Saphadin, the brother of Saladin, having been elected by his people, cruelly killed the ten sons of his brother so that he might reign safely. The Turks, who determined the succession by the vote of the Janizaries, do not actually attain power by any means other than mutual slaughter. Finally, it is reported that the Roman popes are poisoned, although chosen when aged lest they may reign too long. Sometimes those who rule

prefectures or provinces are unwilling to accept dismissal from power—for instance, dukes and counts among the Germans. Likewise, with us dukes and counts seized the provinces of the kingdom on this account, as soon as they had chosen a king by their own right, as it were—so Julius Pflug and Aemilius confessed. In order to become king, Hugh Capet agreed that each count should have his province by right of dominion. So, little by little fiefs, empires, and jurisdictions came to be hereditary possessions. There exists in the library of Beauvais the ancient form of consecrating a king and of election by the people, by which Henry I is said to have been elected here. But I do not see that any one of the older or following kings was created by election; certainly the kingdom would not have stood so long if we had descended to voting. . . .

. . . All laws concerning the best state are directed toward the best education of the prince. For nothing more divine ever was said by a prophet than what was said by Plato, "As are the princes in a state, so will be the citizens." By lasting experience we have found this abundantly true. For examples it is unnecessary to seek farther than Francis I, king of the French. As soon as he began to love literature, from which his ancestors had always turned away, immediately the nobility followed suit. Then the remaining orders studied the good arts with such zeal that never was there a greater number of learned people. But since it is difficult to mold in the virtues the few optimates who some day will be leaders of the state, even more difficult to mold the many, and most difficult, all the citizens, it follows that the best teachers and guides to learning should be won over by great rewards to the education of the prince, not to imbue the flexible mind of the young prince with a foreign language—which we noticed had once been done, stupidly and unprofitably—but with true religion. Of all topics of discussion about the laws and the government, none is greater or more worthy of zeal and study than that the prince should understand that he has come into this world for the true worship of God. In this alone consists the supreme safety of the state and of all the laws. For the prince so informed by training that he realizes that God is the judge and spectator of all his actions will do nothing impious or wicked, will not even think anything base. This one man his subjects will love and fear. They will shape their lives and customs by his example, as is said of King Louis IX and King Edward I, who on account of the unqualified integrity of their lives were ranked among the saints. The empires of the French and of the English have lasted for a long time because of their laws and their excellent ways of life. Often the kings of the English have been driven from the throne when they spurned the people who were asking for the laws of Edward the Confessor. This, then, is the foundation of the kingdom, without which laws are

offered to the prince in vain, because the wicked are not deterred from a life of injury and crime by religious scruples, but by fear of the magistrates.

Yet what magistrate, what laws, what authority will coerce the prince if he is not restrained by fear of God? Such is the strength and the majesty of religion that by itself it not only expels vices and bestows all virtues, on which the highest final good of man depends, but also it is essential to the prince himself, so that power is more effectively supported by this than by anything else. Even Aristotle, at first, then Polybius and Epicurus confessed this, although they despised the divine power. On this account Trebatius the Epicurean found it proper to write books about religion. But since princes have so many desires which are not easily restrained, the second important matter in the education of a prince will be that he shall be nurtured upon solid and true merit. In this atmosphere he should gradually develop. Thus St. Thomas, following the opinion of Aristotle, thinks that a prince ought to be trained, since if he is not content with glory, he will become a tyrant. He will seek wealth and pleasure; hence he turns to theft and excesses. This happened to Dionysius the Younger, whom his father reared in ease and delight so that he was not brought into the public eye from the training field, was not hardened by any discipline at all, and had no appreciation of true merit. So he indulged his many desires in company with the most dangerous flatterers, until he was driven from that tyranny as from a citadel. Yet he who is eager for glory not only flees from infamy and baseness of life but also understands that true worth consists of the acts of virtue alone, by which, indeed, he may control the wicked, guard the good, and honor the deeds of the brave and the wise with praises and rewards to the everlasting shame of the wicked.

V

EARLY MODERN CAPITALISM
AND THE EXPANSION
OF EUROPE

LUCAS PACIOLI

THE GROWTH OF CAPITALISM gave rise to a medium of expression peculiar to business and designed readily to convey to the businessman the status of his affairs in terms of profit and loss, the most obvious criterion of success. This special means of expression was double-entry bookkeeping, developed in Italy in the course of the fourteenth century and first published in systematic form by a Tuscan mathematician, Fra Lucas Pacioli (c.1445-c.1515). In 1494 appeared his *Suma de Arithmetica, Geometria, Proportione, et Proportionalita*, which included his treatise on bookkeeping.

The method outlined by Pacioli called for the keeping of an inventory and three books: the memorandum or daybook, in which all transactions were to be entered as they occurred; the journal, in which items were to be classified as to account and as debit or credit; and the ledger, in which items listed in the journal were to be entered as both credit and debit, the totals of which were, of course, always to be equal. A trial balance would bring any errors to light, and make it possible to ascertain the state of the business.

The following selection, from Pietro Crivelli's translation from the Italian, *An Original Translation of the Treatise on Double-Entry Book-keeping by Frater Lucas Pacioli* (New York, Harper and Brothers, 1924), brings out the attitudes considered desirable in a businessman and some of the bookkeeping methods Pacioli taught.



TREATISE ON DOUBLE ENTRY BOOKKEEPING

As is known, three things are necessary to one who wishes to diligently carry on business. Of these the most important is cash, or any other substantial power . . . without which the carrying on of business is very difficult.

It has occurred that many, entering business with nothing but good faith, have yet carried on big business; and through their credit, faithfully served, have attained to greater wealth. In our conversations with persons throughout Italy, we have come across many of these; and in the great republics the word of a good merchant is considered sufficient, and oaths are taken on it saying: "it is the word of a real merchant." This cannot be admiration, as catholically (*catolicamente*), everybody is saved by faith, without which it is impossible to please God.

The second thing looked for in business is to be a good accountant and sharp bookkeeper and to arrive at this . . . we have regular rules and canons

necessary to each operation, so that any diligent reader can understand all by himself. If one does not understand this well, the following would serve him in vain.

The third and last thing necessary is that all one's affairs be arranged in good order so that one may get, without loss of time, all particulars as to the debit and also the credit of all of them, as business does not deal with anything else. This is very useful, because it would be impossible to conduct business without due order of recording, for without rest, merchants would always be in great mental trouble. Therefore I have arranged this treatise wherein I give the method of recording all kinds of entries, proceeding chapter by chapter; and as I cannot put down all that ought to be written on the subject, nevertheless an industrious pilgrim will be able to apply it to any other required case.

We will here adopt the method employed in Venice which among others is certainly to be recommended, for with it one can carry on with any other. This work we shall divide into two principal parts: the one we shall call Inventory and the other we shall call Disposition (*dispone*). . . .

Let him, who, with due order wishes and expects to know how to keep a ledger and its journal well, be diligently attentive.

So that he may understand the process well, we will take the case of one who is starting in business and show how he must proceed in keeping his accounts and books, so that he will easily find each thing posted in its right place; because if he does not duly post them in their right place there would arise great trouble and confusion in all his affairs, as said: "*Ubi non est ordo ibi est confusio*";¹ but we will do as mentioned above and give to every merchant a perfect document, in two principal parts, which we will make quite clear separately so that they may bear healthy fruit.

It is first of all convenient to presuppose and imagine that each operator is working for an end, and so as to duly arrive at this he makes use of every effort in the process. The end or purpose of every business man being to make lawful, and fair enough profit to keep himself substantially; but he must always commence his affairs in the name of God, whose name must appear at the beginning of every manuscript, always bearing his Holy Name in mind.

He must then make his diligent inventory in the following way: He must first of all write on a sheet of paper or in a book aside, all that he has in the world, his personal belongings and household goods, estate, etc., and always begin with the things that are more valuable and easier to lose. These consist of ready cash, jewels, silver, etc., because estate, such as houses, lands, lakes, valleys, ponds, and the like, cannot be mislaid as are personal belongings and household goods. He must then write down, successively, the other things, always putting down first, in the said inventory, the day, the year, the place,

¹ [Where order is not, there is confusion.]

and his name. The whole inventory must be completed on the same day as otherwise it would give useless trouble in future handling. . . .

Having . . . diligently spoken of all the things that you have in belongings and estate one by one, as has been said, even if they numbered ten thousand, of their condition and nature if deposited in banks, or if placed in loans, all must be named in good order in the said Inventory giving all the counter-marks, names, surnames, as detailed as possible, because things can never be too clear to a merchant on account of an infinity of cases that might occur in business, as he who daily exercises in business knows. The proverb is right when it says that more points are required to make a good merchant, than to make a Doctor of Laws. Who can narrate the practices and cases that fall to the lot of a merchant, now by sea, now by land, now in times of peace and plenty, now in times of war and famine and in times of health and plague? During these times he must know what path to take in the markets, and at fairs, which are held now in one country or town, now in another. A merchant rightly resembles a cock, which, among other things, is the most watchful animal that exists. In winter or in summer it makes its nocturnal vigils, at no time resting. It is said of Philomene, i.e., of the nightingale, that it sings all through the night; this can be verified in summer during the hot weather; but not in winter, as experience is ready to show. A merchant's head is also compared to one that has a hundred eyes; yet these are not enough for him, either in words or in actions. Thus is said by those who know, that Venetians, Florentines, Genoese, Neapolitans, Milanese, Anconians, Brescians, Bergamenes, Aquileians, Sienese, Lucchesi, Perugians, Urbiniens . . . represent in Italy, the principal cities of commerce. Much in excess of the others are the cities of Venice and Florence which must adopt rules and regulations for every need, as the municipal laws rightly say: "*Vigilantibus et non dormientibus jura subveniunt*"; i.e., help comes to him who is watchful and not to him who sleeps. Thus in the divine offices of the Holy Church is sung that God has promised a crown to the watchful. This was Virgil's document given to Dante, as to his own son, when, in Canto 24 of *Inferno* he exhorts them to labour, by which means only, it is possible to arrive at the mount of Virtue. "Alas my son, it is necessary that you shake yourself; for one does not attain to fame in fine feathers and under quilts. He who wastes his life under these, leaves only a trace similar to that left by smoke in the air or by foam on the water." Another obscure poet comforts us about same by saying: "does fatigue not appear strange to you, that Mars never granted victory to those who resting, fed themselves." Also very convenient is the example of the sage when telling the lazy one to mirror himself on the ant. Paul the Apostle says that no one is worthy of the crown, but he who has legitimately fought for it. These re-

minders I have added for your own good, so that you give your daily attention to your affairs, chiefly in holding the pen to paper and writing day by day that which you require, as will be stated in the following;—but, above all first always keep God before your eyes and never miss hearing Mass in the morning, bearing in mind that because of it time is never lost, as by charity riches are not wasted; thus the following holy verse says: "*Nec caritas opes nec missa minuit iter,*" etc., and to this the Saviour exhorts us in St. Matthew, when he says: "*Primum quaerite regnum Dei, et haec omnia adjicientur vobis*": seek you christians first the Kingdom of Heaven and then the other temporal and spiritual things you will easily obtain as your heavenly Father knows quite well what are your needs. I want this to be sufficient as instruction for the Inventory and for doing other good documents well.

1. All the creditors must be placed in the book at the right-hand side, and the debtors at the left-hand side.

2. All entries posted in the book must be double; that is, if you make one creditor you must make one debtor.

3. Each entry in the debit or in the credit must contain three things; viz., the day of the payment, the amount of the payment, and the reason for the entry.

4. The last name in the entry of the debit must be the first in the entry of the credit.

5. On the same day that the debit entry is made should also be made that of the credit.

6. By the balancing (Trial Balance) of the book is meant the folding of a sheet of paper lengthwise, on the right hand of which is copied down the names of the creditors of the book, and on the left-hand the debtors. It is then seen if the sum of the debits is equal to that of the credits, and if so the book is in order.

7. The balance (Trial Balance) of the book must be equal; that is, the sum of—I do not say creditors nor debtors—but I say the sum of the credits must be equal to that of the debits. If they should not be so then there would be an error in the book.

8. The cash account should always be a debtor or else equal. If it should be otherwise, then there would be an error in the book. . . .

10. The book should all be reckoned in one kind of money; though you may name within all sorts of money which may be used: ducats, "*denari,*" florins, gold "*scudi,*" or whatever they may be. But in reckoning up, it is best that it be all of one kind for as you begin the book so must you continue. . . .

12. If you have to make a new account, you must write it down on a new

page without going back to any previous pages, even if you have sufficient space to enter it therein. You must never go back to write; but always forward in order as the days go, which never return. If such a thing were done the book (ledger) would be deemed to be false.

All the cash that you may find and which properly belongs to you, that is, which you may have earned at different times in the past, or may have been left to you by your dead relatives, or given to you by some Prince, you shall make yourself creditor and cash debtor for same.

All the jewels and merchandise which properly belong to you and which you have earned, or may have been left to you under a will, or given to you as gifts, should be kept and valued in cash separately one from the other; and as many things as there are, you shall make as many accounts in the book (ledger), debiting each item saying:—For so many of which I have valued on this day: so many "*denari*," etc., posted as a credit in this book on page, etc.; and then you will make your account creditor, viz., you yourself with each entry. But take note that these entries should not be of less value than 10 ducats each, as small things of little value are not placed in the book.

All the property which you may have and which properly belongs to you, such as houses, lands, shops, etc., shall be entered in the book. You will make the said houses debtors, have a cash value placed upon them according to your discretion, and make yourself creditor in your above-stated account. Then you will make the lands debtors separately, and estimate their value as said above, making yourself creditor in your above-stated account, and as I told you in the rules, every entry requires three things; viz., the day, the amount or value in cash, and the reason for the entry.

If you should make cash purchases of merchandise or of any other thing, you must debit such merchandise or other thing, and credit cash. If you should say I am buying for cash as stated, but a bank will pay for me, or a friend will do so, I will answer that in any case you must debit the merchandise thus bought as stated above; but where I told you to credit the cash, you should instead credit the bank or that friend of yours, who paid for you.

If you should make purchases of merchandise or of any other thing, for time payment of any period, you shall debit such merchandise or thing and credit the person from whom you made the time payment purchase. . . .

All the sales of merchandise or of other things shall be dealt with as above with the exception that you should put everything in the opposite way; viz., where I told you above to debit the merchandise you purchase, you shall always credit the merchandise you sell, and debit cash if it is sold for cash, or debit the bank that might have promised you the money. And if the sale has been made

on time, you shall debit the person to whom you have made the sale on time, and if the sale was made partly for cash and partly on time you must do as I have shown you above in the two preceding paragraphs which deal with purchases on time.

Loans in cash made by you to some friend shall be debited to such friend, and credited to cash.

If you should receive a cash loan from some friend, you should debit the cash and credit your friend. . . .

All the merchandise expenses that you make in cash, for freights, duties, carriage, brokerage, porters, etc., shall be credited to cash, and debited to that merchandise for which you have incurred expenses.

FLORENTINE MERCHANTS

UNTIL THE SIXTEENTH CENTURY the Mediterranean was unquestionably the most important trading area of the Christian world, serving, as it did, as the meeting ground and market for European, North African, and Near Eastern businessmen and products. In the same way it constituted the meeting ground for the various religions, cultures, and political ambitions of the lands along its shores. By the seventeenth century the Atlantic had wrested commercial leadership from the inland sea, and the Mediterranean trade leaders had fallen behind the west European states in wealth and power.

It was not the case, however, as has often been claimed in the past, that the Turkish seizure of Constantinople in 1453 had cut the trade routes to the East; rather, the west European states found in exploration the means of escape from the monopoly of trade in the Ottoman Empire held by certain Italian cities. The following selection is intended to throw light on the nature of this trade, on some of the political and economic difficulties involved, and on the relations of the Europeans with the Ottoman officials. The passages are from the letters of Giovanni di Francesco Maringhi (?-1507), resident agent in Pera (near Constantinople) for various Florentine merchants, including members of the dominant Medici family. The selection, translated from the Italian by G. R. B. Richards, is taken from *Florentine Merchants in the Age of the Medici* (Cambridge, Harvard University Press, 1932).



FROM GIOVANNI MARINGHI IN PERA TO SER NICOLO MICHELOZZI IN FLORENCE

August 10, 1501. We have come to the tenth day of August and the above is a copy of the order sent you the day indicated by the hand of Jacopo di Giuliano, by whom I also sent the silk. Since my last letter I have had yours of the 5th and the 9th of June—letters to me most pleasing. From no other source have I had either letter or message, and the goods are also lacking. It is a long time. Patience. . . .

. . . Bernardo Risaliti and Francesco Ciocci when they were at Nuovo Bazar, a place about half way between Adrianople and Raugia, were robbed during the night of a bundle of light silks. This was the one sent for the 91 pieces of serge, one-third of which was yours and mine, one-third Neri Venturi's, and the remainder Galilei and Company's. If it is lost and never recovered, it will be all the better for me that the loss is divided among so many.

But it will involve you and me in the loss of about 50 ducats each, and Galilei and Neri in about 100 ducats each. However, on the 2nd day of this month we had an order with the superscription of the Sultan concerning the loss, which was sent to the above-mentioned place, to the effect that either the bundle of light silk or the thieves should be found. Consequently, we have some hopes of recovering it either wholly or in part. We have sent a man there post-haste, together with a slave of the Sultan—and I think we shall certainly get it back, if not all, then at least a part. We have taken all the steps we can towards the recovery; we shall spend, whatever happens, 25 or 30 ducats or more for the man and the slave, whether the property is found or not; for I have promised them good *pourboire*.¹ The man whom I have sent is Domenico, an apprentice of ours here, one who owes everything to us and who is to return to our house; and I have hopes in the most high God and in the precautions taken that some fruitful result may ensue. You will be daily informed of what has happened. . . .

October 29, 1501. We are at the 29th of October and I am sending you a copy of the previous letter bearing the date indicated. Since then we have had yours of the 15th of June with a postscript of the 20th of July—a communication giving me singular pleasure.

From Lippi of Ancona you have received by our order the three sacks of pepper with the tin of musk which I thought advisable to put inside to avoid duty. I am well pleased with it all. . . .

The plague here has done, and continues to do, damage enough, and two of our drapers of Pera have died. Because of this we shall lack a goodly sum of money from the account of Galilei and Company, as I told them in detail, giving them our opinion on the matter, to which I now refer you so as not to write more. Because we are definitely approaching the heart of winter, we hope there will be a decrease of the plague—the which may our Lord hasten and help. Let us follow what seems best. A few days ago Tozzo del Canto died, some say of the plague, others, of a flux. However it be, we are ever on the alert. For some weeks past, this has been one of the worst plagues both in Constantinople and in Pera that I have seen since I have been in this country. At the present time there have been over 25,000 deaths. May God care for our good. . . .

It is the 14th of January and until now no letter has been sent you because the Most Glorious Sultan on the 29th of last October sent forth a universal decree ordering that throughout his entire realm no one—of any nationality whatsoever—Jews, Armenians, Greeks, Catholic Christians—should leave his domain under pain of life, nor write, nor order anything from any land. And this was because the Venetian and French armies came to Mitylene at that

¹ [*Gratuity.*]

time. However, his good care and the great obedience and the strength of his people have removed the obstacles from this side, and the country has so fortified itself that were seven such armies to come it would be no impediment, because his artillery is of a quality to endure all great blows and to defend itself from all nations whatsoever.

On the ninth of this month the Prince freed each of the above mentioned from the penalty, so that everyone was free to come and go and stay, and to write and send whatever he desired, either by land or by sea, or to do whatever was to his advantage, for it seemed that if he wished before [this time] that his country were free, he desired now that it should be twice as much so and that the door be opened [for all]. He freed all the Venetians he had imprisoned, on payment of a ransom of 10,000 ducats, which they provided. And now they too can go or stay according as they please.

From what we hear, I think that in the future things will go better than ever. I am quite certain of that. . . .

And because all our nation [at home] thinks that the above-mentioned interdict on us was given because the Sultan imagined and held a sad opinion of us, we have all of us agreed to send you a message, express, by the bearer of this, who will come flying and who must be sent back here; you must answer through him fully. May God send us good. . . .

What you have said regarding the undertaking of the Most Christian King and of Spain gives us assurance of as much as is necessary. The one previously mentioned [the Sultan] has been awakened to the necessity of the matter where formerly he was sleeping. Now he is keeping an eye open for whatever may happen. He has put his navy in order and well provisioned it so that he is ready to defend himself, and to resist even the strongest blows: believe me that nowadays we are safer than before for these above-mentioned reasons. Nevertheless, I do not cease continually to keep the market moving, and likewise endeavor to keep you continually well supplied. You can always be sure of this. We shall be able to supply your orders. May God send good. . . .

February 4, 1501. . . . I have made this agreement with Lionardo Venturi. We are to be associated here together for the next three years, and under the following conditions: commencing the 25th of March next, 1502, for three years, all the things coming into the land of the Sultan for us to sell and administer and govern shall be in my ownership as well as in his, or shall belong to the [new] company; of this he may draw two fifths of the profit and I may draw three fifths; and we will likewise share the expenses of living, etc., for our apprentices; their salary as well as their living expenses will be divided between us in the same manner as the profit, that is two fifths for him and three fifths for me. . . . Consequently, for these three years to come I have

made an estimate of the business and I think, for my part, that we cannot but come out with something to our credit. Then at the end of that time, we shall have trained our Michelozzo, whom I think you will send to me anyway on the receipt of this, because I should like to keep him here by me; he would serve me by copying the letters and accounts, and also by making collections; I will use him quite as if he were a man 25 years old, and I will maintain and direct him, so that at the end of the three years he will be able to go in all parts, and do everything well and make the Round Table. Then at that time we can think of a thousand other plans, especially if Michelozzo turns out as well as I think he will. I am fairly certain in this matter since he is at least 13 years old and in three more years will be 16, at which age one forms lasting habits. He should then make good judgments; but at any rate I will lack nothing in endeavor or endurance, and will put forth every effort for your son and especially as this young Michelozzo is close to my heart. When I was in Florence, he seemed as astute and lively as possible, qualities which are just what are most needed in this country. He will be fresh from the nest, and so begins at a proper time. Now I give you an outline of the picture and you must fill in the color. Since the boy is of a quality to be sent, make haste so that we shall not have to hunt out another. I need one more here at all events, so again I say hurry. You may be sure that all I have and all I can ever have in this world will be left to your sons, since I for my part have never known any other father save you; from you I have learned all that a parent could teach me and all my gratitude will be shown in my interest in you and in your affairs. . . .

March 29, 1502. . . . I have not yet given up hope regarding the lost bundle of silk of which I told you in my earlier letter. In three or four days (or possibly a little more) the same slave of the Sultan who went the other time will leave here with a letter written by the said Sultan, in which the latter as definitely as possible, absolutely orders the men of the village of Nuovo Bazzaro to pay 15,000 *aspri*, of which sum they have already confessed themselves debtors, according to the judgment of those who understand the law and code of the Turks; and I am still of the opinion that at all events we shall have the 15,000 *aspri*. And besides this, the said men who acknowledge the indebtedness—and there are about twenty—must be punished, because the Sultan has so commanded in his letter to the two judges and to the officers and deputies in such regions. I tell you that to obtain this letter from the Sultan we have had to have a friend in court. Our dragoman, Battista, has endured fatigue enough over there [in Nuovo Bazzaro]. The letter cost us ten and one-half Venetian gold ducats altogether. And in order that the affair be put through while that same slave represents the Sultan, I am sending the same man I sent the other time, so that as soon as the *aspri* are counted out he will return with them.

His going and coming will cost us something, since he is sent solely for this purpose and for no other. If the slave gets the bundle (that is, yours mentioned above), he must have 1500 *aspri*, and whatever more Battista, our dragoman, suggests. If he does not get it, the said slave is to have nothing; and furthermore I think when I shall be in possession of the above-mentioned *aspri*, that I shall make a present to Battista of eight or ten ducats, all of which he deserves, and much more, because he has endured great fatigue. He himself regards it as absolutely certain that the 15,000 *aspri* will appear in any event, and I have even a better hope than ever and am in better spirits about it than I ever was before, now that the Sultan has shown so great an interest in us, not only in this, but in all of our business; and since he also displays a cordial fondness for all our nation. Before I close this, I will tell you the kindnesses he has done, and is still constantly doing with respect to the dead and the bankrupt merchants; so that one is able to see that he desires that we be held in esteem throughout all his realm. May God send his blessing. . . .

Of the default of Battista Forzani, not Panzani, I will tell you what I happen to know. Battista Forzani remains debtor for about 4000 *aspri* in account with Galilei and Company, sums due for woollens he had from us some time ago. This man has been in prison a little less than six months. He had planned to put himself under a law the Turks have, which provides that in case a man has been in prison six months and proves before the *Lascaro* that he has nothing and is destitute, with no means of paying, the magistrate absolves him and liberates him from prison on condition that when he is no longer destitute he must make payment to his creditors or they can then force him so to do. Now this man had reached this point, and sought this mercy from the magistrate. Then all his creditors woke up and took counsel together with our consul, and with the dragoman Battista, presenting a statement to the Sultan in which they pointed out to him that the man had houses, vineyards and furniture and silverware, but that he had made over all of these goods to his wife and mother as their own property. These women have thus taken over all his possessions and we creditors were left with nothing. So in this way the Florentine merchants, favorites and partisans of the Sultan, were being robbed and assassinated right in the midst of Pera. When the Sultan heard this, he resented it and immediately ordered that the said Battista should have his nose and ears cut off. But first he was to be led on a donkey around in Pera and Constantinople and afterwards returned to prison and there be put to death. The news came very promptly to Battista's wife and mother in Pera, so that they began to wail and cry throughout the land and they came before the consul and the creditors to beg for mercy and to ask that such sentence be revoked. They were content to surrender all they had in the world, both vine-

yards and houses—everything. So that without losing time, we took possession of a vineyard which is worth a little less than 20,000 *aspri* and of a house in Pera which is worth 30,000 *aspri* or more. Wherefore, as you see, we have security to the value of about 50,000 *aspri*. We could not see any other property of the said Battista, and so, moved by compassion (since our own share was secure), we decided to have the sentence revoked. We again notified the Sultan, whereupon he ordered that Battista be absolved from the sentence, since we were satisfied. However, he ordered as well that the said Battista should not leave the prison until he had satisfied and contented all of us; for he wished that his Florentine merchants be loved and esteemed throughout his realm. Therefore the said Battista finds himself still in prison at the discretion of the creditors, to whom he owes altogether about 130,000 *aspri*. . . .

As you see, by what I have told you, the Sultan bestows on us every favor and wishes that we may do our business in his country. This affair has given a great terror to all drapers of Pera and Constantinople, so that they will be careful to do their duty and not act dishonestly. It has been a good lesson for all. May God send prosperity. . . .

OVERSEAS EXPANSION

WHILE EUROPEAN CONTACTS with the Far East existed prior to the great burst of exploration in the late fifteenth and early sixteenth centuries, they were relatively scattered and minor compared to the rapid expansion for which they paved the way. Under the systematic leadership of Prince Henry the Navigator (1394-1460), the Portuguese pressed down to but did not round the great hump of Africa. Between 1488, when Diaz rounded the Cape of Good Hope, and 1522, when Magellan's ship returned from the first circumnavigation of the globe, a new world was discovered, and an older world than Europe had been approached from both east and west.

The following selections are intended to throw light on the ideas and motives of some of the explorers and their backers, and on the shifts in state power that were inherent in the fact of European expansion. They are translated by C. R. Markham in *The Journal of Christopher Columbus*, Vol. LXXXVI of the *Works Issued by the Hakluyt Society* (London, 1893). The letter of Paolo Toscanelli, a Florentine astronomer and the leading authority on navigation of his age, is from the Latin; the selections from the *Journal* are from the Spanish; the two despatches, which relate to John Cabot and his son Sebastian, are from the Italian.



LETTER OF PAOLO TOSCANELLI TO COLUMBUS, 1474

PAUL, THE PHYSICIAN, to Cristobal Colombo greeting. I perceive your magnificent and great desire to find a way to where the spices grow, and in reply to your letter I send you the copy of another letter which I wrote, some days ago, to a friend and favourite of the most serene King of Portugal before the wars of Castille, in reply to another which, by direction of his Highness, he wrote to me on the said subject, and I send you another sea chart like the one I sent him, by which you will be satisfied respecting your enquiries: which copy is as follows:

Paul, the Physician, to Fernan Martins, Canon at Lisbon, greeting. It was pleasant to me to understand that your health was good, and that you are in the favour and intimacy with the most generous and most magnificent Prince, your King. I have already spoken with you respecting a shorter way to the places of spices than that which you take by Guinea, by means of maritime navigation. The most serene King now seeks from me some statement, or rather a demonstration to the eye, by which the slightly learned may take in and understand that way. I know

this can be shown from the spherical shape of the earth, yet, to make the comprehension of it easier, and to facilitate the work, I have determined to show that way by means of a sailing chart. I, therefore, send to his Majesty a chart made by my own hands, on which are delineated your coasts and islands, whence you must begin to make your journey always westward, and the places at which you should arrive, and how far from the pole or the equinoctial line you ought to keep, and through how much space or over how many miles you should arrive at those most fertile places full of all sorts of spices and jewels. You must not be surprised if I call the parts where the spices are west, when they usually call them east, because to those always sailing west, those parts are found by navigation on the under side of the earth. But if by land and by the upper side, they will always be found to the east. The straight lines shown lengthways on the map indicate the distance from east to west, and those that are drawn across show the spaces from south to north. I have also noted on the map several places at which you may arrive for the better information of navigators, if they should reach a place different from what was expected, by reason of the wind or any other cause; and also that they may show some acquaintance with the country to the natives, which ought to be sufficiently agreeable to them. It is asserted that none but merchants live on the islands. For there the number of navigators with merchandise is so great that in all the rest of the world there are not so many as in one most noble port called Zaitun [in China]. For they affirm that a hundred ships laden with pepper discharge their cargoes in that port in a single year, besides other ships bringing other spices. That country is very populous and very rich, with a multitude of provinces and kingdoms, and with cities without number, under one prince who is called Great Kan, which name signifies *Rex Regum* in Latin, whose seat and residence is generally in the province Katay. His ancestors desired intercourse with Christians now 200 years ago. They sent to the Pope and asked for several persons learned in the faith, that they might be enlightened, but those who were sent, being impeded in their journey, went back. Also in the time of Eugenius one of them came to Eugenius, who affirmed their great kindness towards Christians, and I had a long conversation with him on many subjects, about the magnitude of their rivers in length and breadth, and on the multitude of cities on the banks of the rivers. He said that on one river there were near 200 cities with marble bridges great in length and breadth, and everywhere adorned with columns. This country is worth seeking by the Latins, not only because great wealth may be obtained from it, gold and silver, all sorts of gems, and spices, which never reach us; but also on account of its learned men, philosophers, and expert astrologers, and by what skill and art so powerful and magnificent a province is governed, as well as how their wars are conducted. This is for some satisfaction to his request, so far as the shortness of time and my occupations admitted: being ready in future more fully to satisfy his royal Majesty as far as he may wish.

Given at Florence, June 24th, 1474.

From the city of Lisbon due west there are 26 spaces marked on the map, each of which has 250 miles, as far as the most noble and very great city of Quinsay. For it is a hundred miles in circumference and has ten bridges, and its name signifies the city of Heaven; many wonders being related concerning

it, touching the multitude of its handicrafts and resources. This space is almost a third part of the whole sphere. That city is in the province of Mangi, or near the province Katay, in which land is the royal residence. But from the island Antilia, known to you, to the most noble island of Cippangue¹ there are ten spaces. For that island is most fertile in gold, pearls, and precious stones, and they cover the temples and palaces with solid gold. Thus the spaces of sea to be crossed to the unknown parts are not great. Many things might perhaps have been declared more exactly, but a diligent thinker will be able to clear up the rest for himself. Farewell, most excellent one.

*FROM THE JOURNAL OF THE FIRST VOYAGE
OF COLUMBUS, 1492*

Prologue: to the King and Queen of Spain

Because, O most Christian, and very high, very excellent, and puissant Princes, King and Queen of the Spains and of the islands of the Sea, our Lords, in this present year of 1492, after your Highnesses had given an end to the war with the Moors who reigned in Europe, and had finished it in the very great city of Granada, where in this present year, on the second day of the month of January, by force of arms, I saw the royal banners of your Highnesses placed on the towers of Alhambra, which is the fortress of that city, and I saw the Moorish King come forth from the gates of the city and kiss the royal hands of your Highnesses, and of the Prince my Lord, and presently in that same month, acting on the information that I had given to your Highnesses touching the lands of India, and respecting a Prince who is called *Gran Can*, which means in our language King of Kings, how he and his ancestors had sent to Rome many times to ask for learned men of our holy faith to teach him, and how the Holy Father had never complied, insomuch that many people believing in idolatries were lost by receiving doctrine of perdition: *Your Highnesses*, as Catholic Christians and Princes who love the holy Christian faith, and the propagation of it, and who are enemies to the sect of Mahoma and to all idolatries and heresies, resolved to send me, Cristobal Colon, to the said parts of India to see the said princes, and the cities and lands, and their disposition, with a view that they might be converted to our holy faith; and ordered that I should not go by land to the eastward, as had been customary, but that I should go by way of the west, whither up to this day, we do not know for certain that any one has gone.

Thus, after having turned out all the Jews from all your kingdoms and lord-

¹ [Japan.]

ships, in the same month of January, your Highnesses gave orders to me that with a sufficient fleet I should go to the said parts of India, and for this they made great concessions to me, and ennobled me, so that henceforward I should be called Don, and should be Chief Admiral of the Ocean Sea, perpetual Viceroy and Governor of all the islands and continents that I should discover and gain, and that I might hereafter discover and gain in the Ocean Sea, and that my eldest son should succeed, and so on from generation to generation for ever.

I left the city of Granada on the 12th day of May, in the same year of 1492, being Saturday, and came to the town of Palos, which is a seaport; where I equipped three vessels well suited for such service; and departed from that port, well supplied with provisions and with many sailors, on the 3d day of August of the same year, being Friday, half an hour before sunrise, taking the route to the islands of Canaria, belonging to your Highnesses, which are in the said Ocean Sea, that I might thence take my departure for navigating until I should arrive at the Indies, and give the letters of your Highnesses to those princes, so as to comply with my orders. As part of my duty I thought it well to write an account of all the voyage very punctually, noting from day to day all that I should do and see, and that should happen, as will be seen further on. Also, Lords Princes, I resolved to describe each night what passed in the day, and to note each day how I navigated at night. I propose to construct a new chart for navigating, on which I shall delineate all the sea and lands of the Ocean in their proper positions under their bearings; and further, I propose to prepare a book, and to put down all as it were in a picture, by latitude from the equator, and western longitude. Above all, I shall have accomplished much, for I shall forget sleep, and shall work at the business of navigation, that so the service may be performed; all which will entail great labour.

Monday, 12th of November. . . . The Admiral says that, on the previous Sunday, the 11th of November, it seemed good to take some persons from amongst those at *Rio de Mares*, to bring to the Sovereigns, that they might learn our language, so as to be able to tell us what there is in their lands. Returning, they would be the mouthpieces of the Christians, and would adopt our customs and the things of the faith, "I saw and knew (says the Admiral) that these people are without any religion, not idolaters, but very gentle, not knowing what is evil, nor the sins of murder and theft, being without arms, and so timid that a hundred would fly before one Spaniard, although they joke with them. They, however, believe and know that there is a God in heaven, and say that we have come from heaven. At any prayer that we say, they repeat, and make the sign of the cross. Thus your Highnesses should resolve to make

them Christians, for I believe that, if the work was begun, in a little time a multitude of nations would be converted to our faith, with the acquisition of great lordships, peoples, and riches for Spain. Without doubt, there is in these lands a vast quantity of gold, and the Indians I have on board do not speak without reason when they say that in these islands there are places where they dig out gold, and wear it on their necks, ears, arms, and legs, the rings being very large. There are also precious stones, pearls, and an infinity of spices. In this river of Mares, whence we departed to-night, there is undoubtedly a great quantity of mastick, and much more could be raised, because the trees may be planted, and will yield abundantly. The leaf and fruit are like the mastick, but the tree and leaf are larger. As Pliny describes it, I have seen it on the island of Chios in the Archipelago. I ordered many of these trees to be tapped, to see if any of them would yield resin; but, as it rained all the time I was in that river, I could not get any, except a very little, which I am bringing to your Highnesses. It may not be the right season for tapping, which is, I believe, when the trees come forth after winter and begin to flower. But when I was there the fruit was nearly ripe. Here also there is a great quantity of cotton, and I believe it would have a good sale here without sending it to Spain, but to the great cities of the Gran Can, which will be discovered without doubt, and many others ruled over by other lords, who will be pleased to serve your Highnesses, and whither will be brought other commodities of Spain and of the Eastern lands; but these are to the west as regards us. There is also here a great yield of aloes, though this is not a commodity that will yield great profit. The mastick, however, is important, for it is only obtained from the said island of Chios, and I believe the harvest is worth 50,000 ducats, if I remember right. There is here, in the mouth of the river, the best port I have seen up to this time, wide, deep, and clear of rocks. It is an excellent site for a town and fort, for any ship could come close up to the walls; the land is high, with a temperate climate, and very good water.

Tuesday, 27th of November. . . . The Admiral also says:—"How great the benefit that is to be derived from this country would be, I cannot say. It is certain that where there are such lands there must be an infinite number of things that would be profitable. But I did not remain long in one port, because I wished to see as much of the country as possible, in order to make a report upon it to your Highnesses; and besides, I do not know the language, and these people neither understand me nor any other in my company; while the Indians I have on board often misunderstand. Moreover, I have not been able to see much of the natives, because they often take to flight. But now, if our Lord pleases, I will see as much as possible, and will proceed by little

and little, learning and comprehending; and I will make some of my followers learn the language. For I have perceived that there is only one language up to this point. After they understand the advantages, I shall labour to make all these people Christians. They will become so readily, because they have no religion nor idolatry, and your Highnesses will send orders to build a city and fortress, and to convert the people. I assure your Highnesses that it does not appear to me that there can be a more fertile country nor a better climate under the sun, with abundant supplies of water. . . . If it will please God that your Highnesses should send learned men out here, they will see the truth of all I have said. I have related already how good a place *Rio de Mares* would be for a town and fortress, and this is perfectly true; but it bears no comparison with this place, nor with the *Mar de Nuestra Señora*. For here there must be a large population, and very valuable productions, which I hope to discover before I return to Castille. I say that if Christendom will find profit among these people, how much more will Spain, to whom the whole country should be subject. Your Highnesses ought not to consent that any stranger should trade here, or put his foot in the country, except Catholic Christians, for this was the beginning and end of the undertaking; namely, the increase and glory of the Christian religion, and that no other should come to these parts who was not a good Christian."

*DESPATCH FROM RAIMONDO DI SONCINO,
MILANESE AMBASSADOR IN LONDON,
TO THE DUKE OF MILAN, 1497*

PERHAPS amidst so many occupations of your Excellency it will not be unwelcome to learn how this Majesty [Henry VII] has acquired a part of Asia without drawing his sword. In this kingdom there is a certain Venetian named Zoanne Caboto, of gentle disposition, very expert in navigation, who, seeing that the most serene Kings of Portugal and Spain had occupied unknown islands, meditated the achievement of a similar acquisition for the said Majesty. Having obtained royal privileges securing to himself the use of the dominions he might discover, the sovereignty being reserved to the Crown, he entrusted his fortune to a small vessel with a crew of 18 persons, and set out from Bristo, a port in the western part of this kingdom. Having passed Ibernia, which is still further to the west, and then shaped a northerly course, he began to navigate to the eastern part, leaving (during several days) the North Star on the right hand; and having wandered thus for a long time, at length he hit upon land, where he hoisted the royal standard, and took possession for his

Higness, and, having obtained various proofs of his discovery, he returned. The said Messer Zoanne, being a foreigner and poor, would not have been believed if the crew, who are nearly all English, and belonging to Bristo, had not testified that what he said was the truth. This Messer Zoanne has the description of the world on a chart, and also on a solid sphere which he has constructed, and on which he shows where he has been; and, proceeding towards the east, he has passed as far as the country of the Tanais. And they say that there the land is excellent and (the climate?) temperate, suggesting that brasil and silk grow there. They affirm that the sea is full of fish, which are not only taken with a net, but also with a basket, a stone being fastened to it in order to keep it in the water; and this I have heard stated by the said Messer Zoanne.

The said Englishmen, his companions, say that they took so many fish that this kingdom will no longer have need of Iceland, from which country there is an immense trade in the fish they call stock-fish. But Messer Zoanne has set his mind on higher things, for he thinks that, when that place has been occupied, he will keep on still further towards the east, where he will be opposite to an island called Cipango, situated in the equinoctial region, where he believes that all the spices of the world, as well as the jewels, are found. He further says that he was once at Mecca, whither the spices are brought by caravans from distant countries, and having inquired from whence they were brought and where they grow, they answered that they did not know, but that such merchandize was brought from distant countries by other caravans to their home; and they further say that they are also conveyed from other remote regions. And he adduced this argument, that if the eastern people tell those in the south that these things come from a far distance from them, presupposing the rotundity of the earth, it must be that the last turn would be by the north towards the west; and it is said that in this way the route would not cost more than it cost now, and I also believe it. And what is more, this Majesty, who is wise and not prodigal, reposes such trust in him because of what he has already achieved, that he gives him a good maintenance, as Messer Zoanne has himself told me. And it is said that before long his Majesty will arm some ships for him, and will give him all the malefactors to go to that country and form a colony, so that they hope to establish a greater depot of spices in London than there is in Alexandria. The principal people in the enterprise belong to Bristo. They are great seamen, and, now that they know where to go, they say that the voyage thither will not occupy more than 15 days after leaving Ibernia. I have also spoken with a Burgundian, who was a companion of Messer Zoanne, who affirms all this, and who wishes to return because the Admiral (for so Messer Zoanne is entitled) has given him an

island, and has given another to his barber of Castione, who is a Genoese, and both look upon themselves as Counts; nor do they look upon my Lord the Admiral as less than a Prince. I also believe that some poor Italian friars are going on this voyage, who have all had bishopricks promised to them. And if I had made friends with the Admiral when he was about to sail, I should have got an archbishoprick at least; but I have thought that the benefits reserved for me by your Excellency will be more secure. I would venture to pray that, in the event of a vacancy taking place in my absence, I may be put in possession, and that I may not be superseded by those who, being present, can be more diligent than I, who am reduced in this country to eating at each meal ten or twelve kinds of victuals, and to being three hours at table every day, two for love of your Excellency, to whom I humbly recommend myself.

*DESPATCH FROM GASPAR CONTARINI,
VENETIAN AMBASSADOR IN SPAIN, TO
THE SENATE OF VENICE, 1522*

ON THE THIRD VIGIL of the Nativity, with due reverence, I received the letter from your Lordships dated the 27th of September; by which is explained to me the proposal of Hieronimo, the Ragusan, in the name of Sebastian Caboto, and I am instructed, if he is at the Court, to give him that letter and to make certain proposals to him, opening the whole business, and exhorting him to come to the feet of your Serenity. In order to execute these instructions, I dexterously ascertained whether he was at the Court, and, this being so, I sent to say that my secretary had to deliver a letter sent by a friend of his, and that, if he wished to receive it, he should come to my lodgings.

He understood this from my servant who went to him, and came on Christmas Eve at the hour of dinner. I withdrew with him, and gave him the letter, which he read, and, in reading it, he lost all colour. Having read it, he put it in his pocket without speaking to me, and looking frightened and amazed. I then said to him that, when he should desire to answer that letter, he should tell me what he wished, and that I would write to those who had sent it, for that I should be prompt in making the business end well. Having been reassured, he spoke to me: "I had already spoken to the Ambassador of the most illustrious Seignury in England, owing to the affection I have for the fatherland, when those newly-found lands could be made of such great utility to my country; and now, as regards what has been written to me, you ought to know all; but I pray you that it may be kept secret, for it is a matter on which my life depends." I then told him that I knew all about it very well, and how the

Ragusan was brought before the most excellent Chief Lords, and that I have received intelligence of all that was sent in that letter from the most secret magistrate. But, as some gentlemen were coming to dine with me, it was not convenient to discuss the business further at that time. It would be better if he would return in the afternoon, when we might confer more fully. He then went away and returned at night, when I received him alone in my room. He said to me: "Lord Ambassador, to tell you all, I was born in Venice, but was brought up in England, and afterwards entered the service of this Catholic King of Spain, and was made captain by King Ferdinand, with a salary of 50 m. maravedis. I was then made Chief Pilot by this King, with another 50 m. maravedis, and, to help my expenses, was given 25 m. maravedis, making in all 125 m. maravedis, which may be reckoned at nearly 300 ducats. Having returned to England three years ago, that most reverend Cardinal wished that I would undertake the command of a fleet of his to discover countries, which fleet was nearly ready, he being prepared to expend upon it 30 m. ducats. I replied that, being in the service of this Majesty, I was not able to undertake it without his permission. At that time, conversing with a Venetian friar named Stragliano Collona, with whom I had a great friendship, he said to me: 'Messer Sebastian, you are very anxious to do great things for foreigners; do you not remember your own country? Is it not possible that you might also be useful to it?' I felt this in my heart at the time, and replied that I would think over it. Having returned to him on the following day, I said that I had a way by which that city might participate in these voyages, and I showed him a way which would be of great utility. As by serving the King of England I should not be able to serve my country, I wrote to the Caesarean Majesty that he should not, on any account, give me permission to serve the King of England, because there would be great injury to his service, but that he should recall me. Having returned to Seville, I formed a great friendship with this Ragusan who now writes to me, telling me that I ought to transfer my services to Venice. I have opened myself to him, and I charged him that the affair should not be made known to anyone but the Heads of the Ten, and he swore this to me on the sacrament." I answered him first by praising his affection for his native land, and then said that the Ragusan had been to the most excellent Chief Lords, had received letters on the subject, and that now they should be informed of the details of his plan, and that the time was come for him to present himself before your most excellent Lordships in person. But he replied that as he could not explain his thought to any others than the most excellent Chief Lords, and that he must therefore proceed to Venice, it would first be necessary to obtain permission from the Emperor, on the plea that he wished to recover the dowry of his mother, on which affair he would speak to the magnificent Chancellor

and the Bishop of Burgos, if I would write in his favour to your serenity. I answered that, as he wished to go to Venice, I commended the way in which he proposed to obtain leave. As I did not wish to expose his scheme, not wishing to do more than he desired, I thought it well to say this much, adding that in any deliberation he ought to consider two things: one was that the proposal should be useful, and the other that its utility could be secured. But with regard to the possibility of such an issue I am very doubtful. For I have some slight knowledge of geography, and, considering the position of Venice, I can see no way whatever by which she can undertake these voyages. It would be necessary to sail in vessels built at Venice, or else they must be built outside the strait. If they are built at Venice, they will have to pass the Straits of Gibraltar to reach the ocean, which would not be possible in face of the opposition of the King of Portugal and the King of Spain. If they are not built at Venice they can only be built on the shore of the western ocean; for they cannot be constructed in the Red Sea without infinite trouble. First it would be necessary to make an agreement with the Turk; and, secondly, the scarcity of timber would make it impossible to build ships. Even if they were built, the forts and armed vessels of the Portuguese would make it impossible to continue that navigation. Nor can I see any possibility of building ships on the western ocean, Germany being subject to the Emperor. So that I can perceive no way whatever by which merchandise could be brought from Venice to those ships, or from the ships to Venice; but, being an inexperienced person in such matters, I merely made these observations to him. He replied that there was much in what I said, and that truly nothing could be done with vessels built in Venice or in the Red Sea. But that there was another way, which was not only possible but easy, by which ships might be built, and merchandise be carried from the port to Venice, and from Venice to the port, as well as gold and other things. He added: "I know, because I have navigated to all those countries, and am familiar with all. I told you that I would not undertake the voyage for the King of England, because that enterprise would in no way benefit Venice." I shrugged my shoulders, and, although the thing appeared to me to be impossible, I would not dissuade him further, so as not to discourage him from presenting himself to your Highnesses, and I considered that the possibilities are much more ample than is often believed. This man has great renown, and so for the present we parted. On the day of St. John he came to see me, to look at some words in the letter of the Ragusan, doubting whether they might arouse suspicion, and so the letter was re-written and corrected. He then discussed many geographical points with me, and told me of a method he had observed of finding the distance between two places east and west of each other, by means of the needle. It is a beautiful discovery, never ob-

served by any one else, as he will be able to explain when he comes before your serenity. And reasoning with him on the principal business, I dexterously repeated my objections; but he repeated that the way was easy. "I will go to Venice, at my expense," he said; "they will hear and be pleased with the plan I have devised; I will return at my own expense," and he urged me to keep the matter secret. Such is the arrangement that I have made. Your serenity will hear, and your wisdom will decide on what shall appear best.

LUIS VAZ DE CAMOENS

THE EMINENCE of Portugal in the first phase of overseas expansion is partly owing to the fact that her Moorish campaigns were finished by the thirteenth century—more than two hundred years before Spain achieved unity—freeing the nation for seaborne ventures. At an early date Portuguese fishermen were acquiring the skills and lore that were to benefit the explorers. And the accession of John I in 1385, called by one historian a “bourgeois revolution,” favored the interests of Lisbon and Oporto merchants whose ships had long been plying north European waters. Under the aegis of Prince Henry the Navigator Portuguese caravels explored the west coast of Africa and were by 1450 trafficking in gold and slaves, over a thousand miles to the south. Because of her limited resources and population (about a million in 1500) Portugal’s fast-growing world-empire, which would extend from China to Brazil, was primarily a commercial enterprise. Unlike Spain she could not sustain heavy emigration and large-scale politico-religious “crusades,” proliferating metropolitan institutions in the colonies. It was, rather, from scattered forts, missions, and trading “factories,” a class of patriarchal gentleman planters, and, above all, the ease with which the Portuguese assimilated people of other races, biologically and culturally, that the empire drew its considerable staying power. Portuguese expansion, however, was not without its glory. In fact the return from India via South Africa of Vasco da Gama’s gem- and spice-laden vessels (1499) was more memorable to European contemporaries than the voyages of Columbus and Magellan under the Spanish flag. And this is the exploit celebrated in *The Lusiads* by Portugal’s great epic poet, Luis Vaz de Camoens, born in 1524, the year of Gama’s death.

In spite of his elegant and wistful sonnets, Camoens embodies the extrovert component of the Renaissance; a modern poet, Ezra Pound, calls him “the Rubens of verse.” *The Lusiads*—signifying “sons of Lusus,” the mythical first settler of Lusitania, or Portugal—is the exultant paean of a breed of men before whom opens a prodigious, God-given world that belongs to any who assert themselves as its masters. Virgil was in some ways Camoens’s model, but the latter’s central figure, Gama, is used chiefly for continuity; the canvas is broader than Virgil’s. The *Aeneid* celebrates “arms and the man”; *The Lusiads* asserts itself in the first line as “the story of heroes,” that is, a nation of men. The passages given below, while omitting the narrative of Gama’s itinerary, the flashbacks into Portuguese history, and, regrettably, the heroes’ romps with the nymphs of Venus, clearly evince Portugal’s fresh-born sense of nationhood vis-à-vis Asians and other Europeans; and the excursion into Ptolemaic astronomy (Canto x) implies that the heroes are still very much at the center of the universe. Another suggestive theme is the impressment of robust pagan deities into the service of the Universal Church Militant.

Camoens himself, of petty-noble though indigent birth, lost his right eye in the North African wars at twenty-three. Nicknamed *Trincafortes* (Swashbuckler), he was a bohemian, a brawler, and no stranger to either dungeons or banishment. In 1553 he shipped for the Orient as a common soldier and traveled to most of

Portugal's far-flung eastern empire, notably Goa (India) and Macau (China). He was at one point shipwrecked with his *Lusiads* manuscript, a stanza of which relates how he reached haven with "the soaking Cantos of this poem . . . having survived storms and shallows, privations and perils." Battered, impoverished, and disillusioned, Camoens returned to Lisbon in 1570, dedicated his poem to young King Sebastian, and published it in 1572. Six years later this same king perished in a quixotic African campaign, leaving no heir. In 1580 the throne passed to Philip II of Spain, and little Portugal's almost inexplicable moment as a transcendent world power flickered away, as did the life of him who sang her history. For Luis de Camoens died the same year.

The following translation from the Portuguese is by William C. Atkinson (1952) and is reprinted by kind permission of Penguin Books, Ltd., Harmondsworth and Baltimore. Since a stripped prose style is the natural idiom for modern tales of daring, this version perhaps catches more of the flavor of Camoens than do most attempts to recreate his grandiloquent sonority.



THE LUSIADS

CANTO I

THIS is the story of heroes who, leaving their native Portugal behind them, opened a way to Ceylon, and further, across seas no man had ever sailed before. They were men of no ordinary stature, equally at home in war and in dangers of every kind: they founded a new kingdom among distant peoples, and made it great. It is the story too of a line of kings who kept ever advancing the boundaries of faith and empire, spreading havoc among the infidels of Africa and Asia and achieving immortality through their illustrious exploits. If my inspiration but prove equal to the task, all men shall know of them.

Let us hear no more then of Ulysses and Aeneas and their long journeyings, no more of Alexander and Trajan and their famous victories. My theme is the daring and renown of the Portuguese, to whom Neptune and Mars alike give homage. The heroes and the poets of old have had their day; another and loftier conception of valor has arisen.

Nymphs of the Tagus, you have inspired in me a new and burning zeal. To your stream I have always paid glad tribute in my humble verse. Grant me now nobler, sublimer strains, a style at once grandiloquent and flowing, that Apollo may recognize in your waters another fountain of the Muses. Give me the grand, resounding fury, not of rustic pipe or flute, but of the trump of war that fires men's breasts and brings a flush to the cheek. Give me a song equal to the deeds of your so warlike people, a song destined to be known and sung throughout the world, if indeed a poet may achieve so much.

I address you too, Sebastião, noble scion and guaranty of the ancient liberties

of Portugal and no less certain hope of increase to this small corner of Christendom, pride and portent of our age, sent by God to strike new terror into Moslem hearts and to win for the faith vast new regions of the earth. You are sprung from a royal line more dear to God than any other in the West, even though it may not be styled "Imperial" or "Most Christian": the proof is in your coat-of-arms, recalling his appearance on the victorious field of Ourique, when he bestowed as your country's escutcheon the five wounds he suffered on the cross.

Great King, whose far-flung dominions greet the sun's gaze alike when it rises, when half-way through its course, and when it sinks to rest, at whose hands we look to see Arab, Turk, and Indian shamed and humbled: lay aside for a spell the majesty that will not be read more clearly in your countenance when, in the fulness of time, eternity shall claim you than it may now; deign, with royal magnanimity, to cast your eyes earthwards and behold one more token of affection for the valorous deeds of our native land, here told in melodious numbers.

In them you will find, too, love of this our country itself, an emotion stirred by the hope not of base recompense but of a noble, perhaps eternal, reward; for it is no small thing to be known as one who exalted the land that gave him birth. Give ear then, while I sing the greatness of the race that acknowledges your sway, and judge thereafter which is the more excellent, to be master of the whole world or to rule over such a people.

There will be no pursuit here of mere national aggrandisement, no praising with false attributions, flights of fancy and feats of the imagination, as is the Muse's wont in other lands. The deeds I tell of are real, and far outstrip the fabled adventures of any Rodamonte, Ruggiero or Orlando, even granting that Orlando did exist. In place of these you will meet a valiant Nuno Alvares, who did such notable service to his king and country, an Egas Moniz, a Fuas Roupinho, for whom alone I wish I had the lyre of Homer. The twelve knights Magriço led to England are more than a match for the paladins of France, the illustrious Vasco da Gama for Aeneas himself.

Should you seek an equal in fame to Julius Caesar or Charlemagne, consider Afonso I, whose lance may cast into the shade any foreign reputation; or João I, who on the glorious field of Aljubarrota assured his country's independence; or João II, another invincible warrior; or Afonsos III, IV, and V. Nor shall those be forgotten who, fighting beneath your ever-victorious banner, have scaled such heights in the lands of the rising sun: most valiant Pacheco, the dread Almeidas whose loss the Tagus still mourns, Albuquerque the terrible, stout Castro, and many another who has triumphed over death itself.

While I sing of these—of you, most noble King, I cannot, for I dare not—

you are assuming the reins of government and will in due course give matter for such a poem as has never yet been heard. Let Africa and the seas beyond begin to feel the weight of your armies and their exploits, until the whole world tremble. The Moslem fixes his eye on you in terror, recognizing the symbol of his destruction; the barbarous heathen at sight of you bends his neck to the yoke. Tethys, wife of the sea-god, offers you one of her nymphs as bride, so enamored is she of your youth and comeliness, and the whole realm of ocean as dowry; while, looking down from their Olympian abode, your grandfathers João III and Carlos V, one famous in peace as the other in war, see themselves again in you and look to you to renew their memory and their deeds of valor. And there beside them, in the temple of eternity, your place is already reserved.

But first a long reign awaits you: it is your people's will. And meantime pray bestow your favor on this bold enterprise, that these verses of mine may be yours too. Look on your Argonauts as they plough the angry waves, and let them know that your eye is upon them. Be prepared to hear them often invoke your name. . . .

CANTO VII

And now land was close at hand, the land so many others had longed to reach, that lay between the Ganges, sprung from the earthly paradise, and the Indus. Take courage, my brave men, who have set your hearts on the victor's palm. You have arrived: the land of wealth abounding lies before you.

You are a very small part of mankind, you Lusitanians, a very small part even of God's fold; and yet neither peril, nor self-seeking, nor lukewarmness in devotion to Mother Church deters you from the conquest of the lands of the infidel. As few in numbers as you are stout of heart, you do not pause to reckon up your weakness. Facing death in manifold forms, you spread the faith that brings life eternal; for Heaven has willed that, few though you may be, you shall do great things for Christendom. So high, O Lord, dost Thou exalt the humble!

Consider the Germans, that far-flung and headstrong people who are even now in revolt against the successor of St. Peter and have set themselves up a new shepherd and a new creed. And, not content with the blindness of their ways, they are engaged in unworthy strife, not against the overbearing Turk, but against the Emperor, whose yoke they seek to throw off.

Look at the dour English king, calling himself Lord of Jerusalem, that ancient and most holy city that is now in Moslem hands. If ever a title was at odds with the truth, this is it. He disports himself amid his northern snows fashioning his own brand of Christianity, his sword unsheathed, if at all, not for the

recovery of the Holy Land but in persecution of the true followers of Christ. And so, while he disregards the sacred law of the Heavenly Jerusalem, an infidel monarch denies him possession of the one on earth.

And what shall I say of you, unworthy Frenchman, who sought for yourself the title of "Most Christian"? It was not with any thought of defending the name, or even of respecting it, that you wished it; your actions have instead offended and debased it. You advance claims to the territories of other Christian rulers, as if your own were not large enough. Why not to those of Barbary and Egypt, where the name of Christian is held in enmity? It is there, against such as would reject the very corner-stone of the Church, the supremacy of Rome, that the valiant should draw the sword. From Charlemagne and St. Louis you inherited title and estate; did you not inherit too the motives they had for waging just war?

And what of those who, grown forgetful of the valor of their ancestors, waste their lives in the pursuit of wealth and the pleasures of shameful indolence while tyranny sows dissension among a once brave people that is become its own worst enemy? It is with you, Italy, I speak, sunk in a welter of vices and divided against yourself.

O wretched Christians, are you perchance but the dragon's teeth that Cadmus sowed, that you thus deal death one to another, being all sprung from a common womb? Do you not see the Holy Sepulcher in the possession of dogs of infidels who, strong in their unity, are advancing even against your own native soil and covering themselves with glory in the field? You know that with them it is both custom and obligation—and of this injunction they are meticulous observers—to hold their restless forces together by waging war on Christian peoples; while among you the Furies never weary of sowing their hateful tares. Take note then, in case you may have lulled yourselves into a sense of security, that you have two enemies, yourselves and them.

If it be the lust for empire that makes you attempt the conquest of lands not your own, have you forgotten the Pactolus and the Hermes with their gold-bearing sands? In Lydia and Assyria they weave with thread of gold. There are gleaming veins of the metal to be discovered in Africa. Should the very abode of Christ on earth leave you unmoved, surely you can at least be stirred by so great riches.

These fearsome new inventions of guns and artillery, why have they not been tried out before now on the walls of Byzantium and Turkey? The Turks are interfering more and more in the affairs and the wealth of this Europe of yours: why do you not drive them back to their primitive caves in the Caspian hills and amid the arid rigors of Scythia? Greeks, Thracians, Armenians, Georgians alike are crying out to you against the harsh tribute laid on them

by this brutal race, which at the blasphemous behest of the Koran carries off their beloved children. It is on the chastising of such inhuman practices as these that you should base your reputation for bravery and skill in war, and not on arrogant boasting of your prowess in fighting one another.

Madmen that you are, thirsting in your blindness for the blood of your own! But here at least, in this small land of Portugal, there will not lack those who will do and dare for Christendom. In Africa they already hold coastal bases, and in Asia, that queen among the continents; in the New World they are ploughing the fields. Were there more lands still to discover they would be there too.

But let us see what is happening to our famous navigators, now that Venus has calmed the blustering fury of the hostile winds and they are come at last in sight of land, the goal of their so constant perseverance, the land to which they have come to spread the faith of Christ, bringing to its peoples a new way of life under a new sovereign.

As they drew in to the strange shore they came upon small fishing-smacks hailing from Calicut. These told them how to get there, and to Calicut accordingly they set their course; for among all the fine cities of Malabar this was the finest, as well as being the seat of the king who ruled over the whole land. . . .

As soon as the fleet had reached this seat of wealth and power, one of the Portuguese was sent ashore to inform the pagan ruler of their arrival from such distant parts. The messenger made his way up the river-mouth, and the strangeness of his aspect—for everything about him, color, features, clothes, was new—straightway drew the whole population to see the sight.

Among the crowd was a Moslem born in Barbary, where the giant Antaeus once held sway, and there, before fate bore him to such distant exile, he had either had occasion to visit the neighboring kingdom of Portugal or had made the acquaintance of its people in battle. At sight of the messenger his face brightened, and, speaking in Spanish, he hailed him with a "And who brought you to this other world, so far from your native Portugal?"

"We have come across the mighty deep," the other replied, "where none has ever sailed before us, in search of the Indus. Our purpose is to spread the Christian faith." The Moor, Monsaide by name, listened as the other told him of the long voyage and the many perils that had attended it, and was filled with amazement. . . .

Monsaide began: "Dear neighbors, for so nature made my native land and yours, tell me what great destiny or stroke of fortune led you to embark on such a journey. Some deep-hidden reason there must have been to make you leave the Tagus and the Minho, rivers that no one here has ever heard of, and

sail across uncharted seas to these remote and out-of-the-way regions. It can only be God Who brought you, for some end of His own that He would have you achieve. Otherwise there would be no explaining His guiding you and protecting you alike from enemies and from the raging sea and angry winds.

"You must know that you are now in India, the abode of a diversity of peoples who prosper and grow rich on their gleaming gold and precious stones, their cinnamon and spices. This country where you have now made harbor is called Malabar. Its people worship idols, as did their fathers before them: it is a cult widespread in these parts. They have a number of different kings, though according to tradition there was once one only. Sarama Perimal was the name of the last to hold single sway over the whole territory. . . .

"The people here, rich and poor alike, are of the one religion, which is full of lies and superstition. Apart from a loincloth they wear no clothes. There are two castes, an upper and more ancient one called Naires, and a lower, the Pariahs, who are forbidden by their creed to intermarry with the others. Craftsmen can marry only within their craft and the children must follow the same calling, which they are never allowed to change. The Naires hold it a great defilement to be even touched by a Pariah; and if this should ever happen they cleanse and purify themselves with infinite ceremony, just like the Jews with the Samaritans of old.

"You will see much more that is strange in this country, with its great variety of customs. The profession of arms is reserved to the Naires, who are alone privileged to defend their king against his enemies: they wear a shield on the left arm and in the right carry a sword.

"Their priests are Brahmins, an ancient and venerable title; their precepts those made famous by Pythagoras, who first gave philosophy its name. Thus they never kill any animal, and abstain rigorously from the eating of flesh, as if afraid to. It is only in matters of love that they show a greater licence and lack of self-control, wives being held in common within the husband's caste. Happy the lot, and happy the people, where jealousy is no ground for taking offence!

"These customs and many another are practised by the Malabarais. As for the country, it is bursting with merchandise of every kind, thanks to its maritime traffic with other lands from China to the Nile."

While the Moor was telling all this, the report of the strangers' arrival was spreading through the city, and now the king sent some of his nobles to know the truth of it all. These were already making their way through the streets, surrounded by young and old of both sexes, in search of the Captain of the fleet.

Having received the royal permission to disembark, da Gama lost no more

time in making for the shore. He was richly clad, and accompanied by a noble band of Portuguese; and as they rowed slowly across the stretch of sea and then up the estuary the color and engaging variety of their attire filled the townspeople with delight.

On shore, surrounded by Naires, stood one of the high officials of the realm, known in their language as Catual, who awaited da Gama's arrival with an air of unwonted festivity. As he stepped ashore the Catual embraced him and led him to a luxuriously appointed palanquin, this, carried on the shoulders of bearers, being their customary mode of travel.

And so, the Portuguese in one, the Malabari in another, they set out for the king's residence. The other Portuguese followed on foot, marching in ranks like a squad of infantry. There was much puzzlement in the faces of the onlookers at the strange sight, and they would have liked well to question the foreigners, had not the Tower of Babel made that impossible long before.

Da Gama and the Catual meantime carried on a desultory conversation, Monsaide interpreting as much as he understood of the two languages; and so they progressed through the city until they came to an impressive temple, into which they both entered. Within were images of the gods of the country, carved in wood and stone with a variety of faces and colorings, being so many imaginings prompted by the devil.

The statues were abominable, resembling the chimera that was part lion, part goat, part dragon. To Christian eyes accustomed to representations of God in human form it was an astonishing spectacle. One god was depicted with horns springing from his head, like the Libyan Jupiter Ammon; another had two heads, like Janus of old; a third, with a great number of branching arms, suggested an imitation of Briareus; a fourth had the head of a dog, recalling the Anubis of Memphis.

Here the barbarous heathen performed his superstitious devotions, and both then made their way to the royal palace without further deviation. The concourse of onlookers was constantly swollen with new arrivals anxious to see the foreigner; roofs and windows were festooned with old men and boys, women and girls. . . .

A Brahmin of high rank stepped softly forward to present da Gama to the king, who motioned to him to be seated in front of him. He sat down by the royal couch, his companions standing some little distance away, and the Samorin's gaze was quick to scrutinize the garb and appearance of men such as he had never seen before.

Then the Captain spoke, his voice welling up resonantly from a breast full of wisdom, so that the king and all his attendants were straightway impressed with the weight of its authority. "A great king in the West," he said, "in the

regions where the revolving heavens cause one half of the earth's surface to plunge the other into gloom, denying it the light of the sun, has heard the report, which echo has carried so far afield, that the overlordship and majesty of all India are vested in you, and wishes to be bound to you in friendship.

"He sends accordingly, by long and devious journeyings, to inform you that his own kingdom abounds in all the wealth to be found on land or sea from the Tagus to the Nile and from the chill shores of Holland to the equator, where the sun, beating down on the people of Ethiopia, makes day and night of equal length.

"Should you be willing, by means of pacts and treaties of peace and friendship contracted in all sanctity and sincerity, to allow an interchange of trade between the products of your land and of his, whereby the wealth and plenty of both kingdoms may increase—and there is no greater incentive to a people's industry—it will of a certainty redound to your benefit, as it will bring much glory to him.

"And to the end that the bond of such friendship between you may never weaken, he will be prepared, so often as your kingdom may be endangered by war, to hasten to your defense with men, arms, and ships in such a manner as brother would to brother. And he would have you give me a forthright answer as to your feeling in the matter." . . .

CANTO X

. . . Soon they [da Gama and the goddess Tethys] found themselves on a lofty mountain-top, in a meadow studded with emeralds and rubies that proclaimed to the eye it was no earthly ground they trod. And here they beheld, suspended in the air, a globe of such transparency that the light shone right through it and the center was as visible as the outer surface. What it was made of could not be divined, but it clearly consisted of a series of spheres contrived by the wand of God to rotate about a single fixed center in such a way that, however they revolved or rose or fell, the whole neither rose nor fell but showed the same from every angle. Its supernatural artifice in short had neither beginning nor ending, but was in all things uniform, perfect, and self-sustained like God its maker.

As da Gama gazed at it he was deeply moved, and stood lost in curiosity and amazement. Then the goddess spoke: "This thing you see before you is a representation in miniature of the universe, that you may see where your path lies, whither it leads, and what the end of your desires. This is the mighty fabric of creation, ethereal and elemental, as it came from the hand of God Who ever was and ever shall be. He envelops this polished globe all about with

His being; but what He is, that no man knows, for the human mind cannot soar so high.

"This first sphere that rotates about the other lesser spheres within, and shines with a light so radiant as to blind men's eyes and their imperfect understanding as well, is known as the Empyrean Heaven, wherein the souls of the pure attain to that Supreme Good that is God Himself and that He alone can fully comprehend, for His like is not to be found on earth. Here dwell only the true saints in glory. Saturn, Janus, Jupiter, Juno, myself, we are but creatures of fable, figments of man's blindness and self-deception. Our only use is for the turning of agreeable verses; beyond which, all that mankind has been able to do with us comes down to your ingenious baptizing of the stars with our names.

"Since, however, Divine Providence—which among us is symbolized by Jupiter—governs the universe through the great company of the angels (for so the Bible teaches in many of its parables, the good angels guiding and helping man, the evil impeding him all they can), the poet as he seeks now to delight, now to instruct, is taken with the fancy to bestow on these the same names that in their fables the poets of old gave to their gods. The Holy Book itself speaks of the angels of the heavenly choir as gods, and does not deny that this peerless name is also used, wrongly, of the wicked angels. The God of gods, His power being absolute, still works in the universe through secondary agents.

"But to resume the explanation of the Creator's mysterious handiwork. Inside this first motionless sphere of the souls of the blessed is another, the *Primum Mobile*, that revolves so swiftly its movement escapes the eye. This in its turn has still other spheres within, and by the impressive rapidity of its motion carries them all round with it. That is why the sun, in its precise obedience to a progress not its own, gives us alternate day and night. The nearest to the *Primum Mobile* of these inner spheres is the *Crystalline*, that pursues at the same time a slow course of its own, so slow and so severely curbed that the ever-resplendent sun will complete ten-score annual rotations while it takes but a single step.

"Next to this is the sphere of the Fixed Stars, specked with smooth, radiant bodies each endowed with an ordered, scintillating movement about its own axis. You may see clearly how it is garbed and adorned with the long golden belt of the Zodiac, through whose twelve stellar signs, depicted by as many animals, the sun traces its yearly course. . . .

"You will notice how all these spheres have their several movements, some slow, some fast, how now they fly far from their center and now draw rela-

tively near, in accordance with the design of God Omnipotent Who made fire and air, wind and snow, and caused these to lie, as you see here, within the inmost sphere of all, clinging close to earth and sea.

"In this center is the abode of mankind, who, not content with suffering all the perils of dry land, must needs launch out in its boldness on the restless waters too. Here you may note how, separated by the same tempestuous seas, the various regions are inhabited by different nations under different rulers, with different ways of life and different religions.

"This part is Christian Europe, more advanced and more renowned alike in its governance and its might than the others. Here is Africa, still grasping after the things of this world, uncivilized, full of savagery, with its southernmost Cape [of Good Hope], that has always been denied you until now. Look out over the whole vast continent and see how everywhere it is the home of legions of infidels.

"Observe, here is the great empire of Benomotapa with its naked blacks, where Gonçalo da Silveira is to suffer shame and death for his holy faith. There is abundance of gold, the metal that men most strive after, in this as yet unknown hemisphere. See how the Nile and the Zambezi both have their source in the same lake, and note how the Negroes live in huts without doors, as if they were nests, trusting to the king's justice and to the protection and good faith of their neighbors. . . .

"There is much more of the earth's surface that must still remain hidden from you: in its proper time it shall all be revealed. But do not forget these islands where Nature has chosen to show her greatest wonders. This, that you can only half distinguish where it lies far out to sea, facing China—it is from China that it is to be sought—is Japan, famous for its fine silver, and soon to be famous too through the spreading of Christianity among its people. . . .

"Such are the new regions of the East that you Portuguese are now adding to the known world by throwing open the gates of the mighty ocean over which you sail with such fortitude. But it is fitting that you should glance too at one achievement in the West of another of your race who, offended with his monarch, will blaze [under an alien flag] such a trail as none had ever thought of.

"You see this vast expanse of land stretching from the farthest north to the opposite pole, that is destined to become famous for its mines of gleaming gold. To your friendly neighbor, Castile, is to fall the distinction of submitting its uncouth neck to her yoke. There are many different countries there, peopled by different races each with its own rites and customs.

"But here, where it broadens out most, Portugal too will have her share, in the region known from its red brazilwood as Brazil. The very next Portuguese

fleet to sail will discover it, and you will call the land at first Santa Cruz.

"And it is along this coast, in search of its farthest extremity, that Magalhães [Magellan] will sail, a true Portuguese in the undertaking if not in allegiance. Rather more than half-way from equator to South Pole he will come on a land, Patagonia, where the inhabitants are of almost gigantic stature; then, farther on, he will discover the strait that now bears his name, which leads to another sea and another land, that Terra Incognita over which the South spreads its icy wings.

"Thus far, O Portuguese, it is granted to you to glimpse into the future and to know the exploits that await your stout-hearted compatriots on the ocean that, thanks to you, is now no longer unknown. And now, having learnt of labors that are to commend you still more strongly to these nymphs, your lovely and ever-loving wives, who are busy weaving for you wreaths of glory, you may take to your ships once again, with a tranquil sea and a following wind to speed you back to your beloved land."

So spoke Tethys to da Gama; and from that joyous lovers' isle they set sail straightway, bearing with them noble provision of refreshment, bearing too the delectable company of the nymphs, never, for so long as the sun shall shine on mankind, to lose it more.

The sea ever calm, the wind blowing ever gently, they continued on their way until at length the land of their birth, the land they had never ceased to long for, came once more in sight. Sailing up the mouth of the friendly Tagus, they conveyed to their country and to the king they so loved and respected the reward and the glory he had charged them to seek, adding to his titles the luster of others more illustrious still.

And now, my Muse, let there be an end; for my lyre is no longer attuned and my voice grows hoarse, not from my song, but from seeing that those to whom I sing are become hard of hearing and hard of heart. This country of mine is made over to lusting greed, its sense of values eclipsed in an austerity of gloom and depression: there is no longer to be had from it that recognition which fans the flame of genius as nothing else can. And I know not by what turn of destiny it should have lost the sense of joyous pride and pervasive pleasure that buoys up man's spirit to face toils and travails with unflinching cheerfulness.

I appeal to you, my King, who occupy your throne in furtherance of the divine will. Look round at other peoples and reflect on the excellence of these vassals who call you their lord. Observe how cheerfully they go forth on their various ways, spirited as lions and brave as bulls, exposing themselves to privations and vigils, to fire and sword, to arrows and cannon-balls, to burning heat

and devastating cold, to the blows of idolaters and Moslems, to shipwreck and the denizens of the deep, to all the uncharted perils of the universe. . . .

Let Your Majesty so act that admiring Germans, Frenchmen, Italians, English may never be able to say that the Portuguese are a people rather to be commanded than to command. Take counsel only from such as have lived long and intensely and seen a great deal of life. Those who have studied may know much; the man of experience knows more, and to more purpose. Be reminded how Hannibal scoffed at Phormio, the elegant philosopher, for his long-winded discourse in his presence on the art of war. The discipline of arms is of great importance, Your Majesty: it is not to be studied in the imagination, in fanciful dreams, or in poring over books, but in the field, observing, handling its problems, fighting.

But who am I to speak, whose humble condition and upbringing have prevented my ever coming to your knowledge? And yet I know that it is in the mouths of those of lowly estate, at times, that the perfection of tribute is to be found. My life has not lacked serious study, mingled with a wealth of experience; nor, as you may here observe, do I want literary aptitude: qualities all that are rarely to be found together. In your service, a right arm inured to battle; in your praise, a mind devoted to the Muses: all I still need is to be found acceptable in your eyes, where worth ought to meet with esteem.

Should Heaven grant me so much, and should you too one day be moved to embark on an enterprise meet for celebration in song, as something within me, noting the Heaven-sent trend of your designs, whispers prophetically you will, then, whether it be Mount Atlas that comes to dread the mere sight of you more than did Atlas himself the Gorgon's head, or whether, attacking by way of Cape Espartel, you level the fortifications of Morocco and Tarudant, I warrant you that this my Muse, become joyous again with recognition, shall so sing your praises to all mankind that you will be in their eyes a second Alexander, without cause this time to envy Achilles his good fortune in being immortalized by Homer.

FUGGER NEWS-LETTER

BY THE END of the sixteenth century western Europe was receiving a regular and dependable supply of the various products from the newly discovered worlds in India and the Americas. Much of this enormously profitable trade was still in the hands of the Spanish and Portuguese, but the Dutch, English, and French were breaking down this monopoly and establishing their own colonial empires. Thus all of Europe was thrown into direct contact with these new lands and foreign cultures, and as a rule the European trader sent back home not only native products but also tales of native customs and beliefs. Not the least of the effects of overseas expansion on Europe was this transmission of cultural and anthropological knowledge which in the seventeenth and eighteenth centuries exerted a powerful influence on the thought and imagination of the European.

The following letter from India, written in 1580, reflects the aroused curiosity of the European trader. The letter is taken from a collection of news-reports which Count Philip Eduard Fugger (1546-1618) assembled between 1568 and 1605 (*The Fugger News-Letters*, ed. by Victor von Klarwill, translated by Pauline de Chary; New York, G. P. Putnam's Sons, 1926). The earlier Fuggers (see page 460) had collected a different kind of fortune, which the several bankruptcies of the Spanish monarchy destroyed in the latter half of the sixteenth century; Count Fugger's letters, however, which he had bought from Augsburg news-agents or selected from the Fuggers' own correspondence, survived to the present day as one of the most colorful sources of early modern history.



FUGGER NEWS-LETTER FROM COCHIN-CHINA

*From Cochin in India,
the 10th day of
January 1580*

HONORABLE, most kindly and dear Signor Adelgais!

Before my departure from Lisbon, I informed you how I with my companions boarded our ships. Upon the 4th day of April 1579 all five vessels sailed from Lisbon at the same time; but we did not, however, keep together for more than six days, but each soon struck out on its own course, since each captain or pilot believes he knows best how to arrive first at the goal. Although these ships are big and powerful, they strive not to stay together. When we had been on our way for a month and had chanced first on the coast of Guinea and later upon the Linea Aequinoxialis, we realized that we had left Lisbon

far too late. We had to sail back and forth along this Linea until we could pass it, and in this wise lost forty-seven days. Since at this time the sun shines at its strongest and hottest, we had to suffer great heat and torment on this voyage. From thence as far as the thirty-fourth degree in the other half of the globe, toward the South Pole or the Pole Antartico, as far as the Cape of Good Hope, we had a favorable wind and fair weather, but severe cold. From thence onward we experienced several great storms. To tell the truth, I would have preferred then to be elsewhere than on this voyage. God be praised, we came through. But it is an old experience in seafaring that come or go, one has to meet such storms. This danger lasts for one hundred and fifty miles, which one covers in thirty-four days. We then arrived at the twenty-sixth degree off the height of Mozambique. There the king of Portugal keeps a fort and a garrison. But whereas it was late in the year, we were not permitted to land, but stayed out at sea fifty miles therefrom. If we had gone ashore, we should not have been able to leave again. We then came upon the Linea Acquinoxialis which we passed in three days. Thereupon we passed on again to the other side toward the North Pole.

Here in Cochin we are situate on the ninth degree from this line and on the side of Europe. Lisbon lies thirty-nine degrees off this line. In this place it is rather warm since we are just under the ninth degree. We arrived, thanks and praise be to the Lord Almighty, upon the 10th day of October at the town of Goa, which belongs to the king of Portugal and is the finest capital in this country. Thus we have been on our way here from Lisbon six months and six days, and during that time have seen no land, only the sky and the sea. The Lord God bestows on such journeys *His special blessing and mercy*, for otherwise it would not be possible to spend half a year between the planks. To sum up, whosoever is well equipped with provisions and a cook, both of which were mine, thanks to the Lord, feels the hardships of such a voyage less than the common people, who suffer great distress from lack of food and drink, especially water, which no money can buy. In such heat one cannot partake of much wine, only water, of which, thanks be to God, I had in sufficient quantity with our food. There were about five hundred persons in our ship of whom not more than twenty-five altogether died on the way from Portugal to India. Some of us, who were well provided with food and drink, extended much help to the poor soldiery. In this half year we have traversed five thousand miles. Although for the direct route from Lisbon to India one counts not more than three thousand miles, one covers at all times for each voyage five thousand miles on account of the head winds.

I have seen many kinds of fish, whereof there would be much to write, especially of those that fly above the sea and have wings. This many will not

wish to believe, but I have seen them a thousand times fly as near as the musket will carry. What called forth still greater surprise on my part were other big fishes that are in the ocean and that eat man alive, whereof I have been myself a witness. For when a man fell from our ship into the sea during a strong wind, so that we could not wait for him or come to his rescue in any other fashion, we threw out to him on a rope a wooden block, especially prepared for that purpose, and this he finally managed to grasp and thought he could save himself thereby. But when our crew drew this block with the man toward the ship and had him within half the carrying distance of a musket shot, there appeared from below the surface of the sea a large monster, called Tiburon; it rushed on the man and tore him to pieces before our very eyes. That surely was a grievous death. . . .

I have related our journey day by day, and have made therewith a book, which in good time, if God helps me out of this again, I shall bring with me together with many beauteous things. This voyage is of such nature that he who does not experience it himself could not believe how arduous it is. Thanks be to God, that myself and my men, four young Germans, have arrived here in India fresh and well; but no sooner did we set foot on land, than four young Portuguese servants of mine expired. On the ship eating and much drinking of water causes havoc, and ashore it is dangerous for some time because of the many fruits, such as figs and other foods. But also there is a danger on account of the women, of whom there is an abundance. From all the ships a good many men died ashore. Until a man gets acclimatized he has to guard himself wisely. Thanks be to God, I am very well.

Our ships have all five arrived from Lisbon, namely, three in Goa and two here. Now all five ships are here in Cochin. I made a sojourn of four weeks in the town of Goa and built me there a house. From thence I travelled one hundred miles onward by sea. The voyage can be made in ten to twelve days. The ships are loaded with pepper here in Cochin, twenty miles from Calicut, wherefore they all have to come to this place. I shall maintain two establishments, one in Goa and the other here. I have not yet, however, resolved upon which shall fall my choice for remaining definitely. Although Goa is the capital in which the viceroy of Portugal holds his court, it is wearisome to journey back and forth every year, as I needs must be present in this our pepper store.

Such a pepper store is a fine business, but it requires great zeal and perseverance. It takes six weeks to receive the pepper from the heathen king of Cochin, who is our friend, and to load it into our ships. After the departure of these ships for Portugal, I and my servants have but little to do. The pepper business is profitable indeed; when the Lord God grants by His mercy that none of the

ships take damage either in coming or going, then the merchants wax rich. With these sailings, all depends upon the right time to take the journey, to wit, during the month of March from Lisbon to this place, and from here to Portugal during the month of January. Also, when this can be arranged, to leave neither place later than upon the 15th day of these months. Then the risk is slight. But it is dangerous to take one's departure later, for then one comes across heavy storms, and has to go by a circuitous route, and often the ships are destroyed. This happens but rarely, provided the ships do not run aground, founder or otherwise come to grief. Great caution has to be practised in these respects.

This year, in my judgment, we shall not dispatch more than four ships with about twenty loads, although we ought to send thirty. We already possess the money, for so large a sum would not be obtainable by loan. What we are lacking this day can be bought, given a good opportunity, after the sailing of these ships for next year. Of all other spices such as cloves, nutmeg, flour and nuts, cinnamon, maces, and various drugs, this year's supplies are going to Portugal. In precious stones little was dispatched this year on account of the war, which the heathen kings (of which there are many in this country) waged one upon another. Because of this, precious stones cannot come through from inland into our towns since all of them lie upon the shores of the sea.

All that lieth inland belongs to the Indians, heathens and Moors. We boast of the friendship of two or three of these kings, but the majority are our enemies. Our fleet is continually fighting them at sea. The king of Portugal despite all his power is too weak for this vast country. The king of Spain, if he but took possession of Portugal, would be the right king for these lands. He should take over the whole of India, all the kingdoms and provinces right into China, where it adjoins Tartary, and unite under his rule his Spanish India with the Portuguese municipalities: this he could accomplish with fifty thousand men. Even though the Indian kings have a goodly number of warriors, and there are many such kings, they are not good fighters. One Christian can achieve more than six Indians. Besides, these kings are continually involved in strife and quarrels amongst themselves.

The land in itself is bad, it produces all the corn, rice and meat that is needed, but no wine and no olive oil: it also lacks five or six kinds of fruit. Wine, oil and Dutch cheese are brought from Portugal. The country is equally warm throughout the year, in winter as in summer. There exists no difference in the seasons. In winter it is as hot as in summer, only that it rains throughout the whole winter, which in summer it does not do. The days are of twelve hours' duration all the year round, they grow neither longer nor shorter. The trees and grass remain verdant throughout the year. We have figs here that are as

large as the span of the hand, which figs are picked from the trees the whole year round. One may pick them every day, they are the most important and the staple food for rich and poor alike. Then there is yet another fruit, upon which the people live. It grows on beautiful tall trees, which are called palms. These bear a fruit of the size and shape of a melon which contains much water. Whosoever does not know or see it, cannot imagine what manner of things can be made from this fruit. Thou canst however completely trust in me, for my information is good.

From this fruit one maketh wine, which is good to drink, also oil which is good for eating and burning, also milk and fat and a special paper on which one can write. This fruit is kept in store rooms. Its husk is used for making wooden crockery, dishes and other things. Moreover, one makes out of these trees all that is needed for navigation, to wit, the ship, mast, sails, nails, ropes, cables, tow, and likewise wooden bricks for roofing houses. These ships carry provisions in food and drink which are also derived from this tree. I have already seen myself ships thus fashioned. It is a strange thing, and I have desired not to omit to advise thee of this with all the other curiosities here. With God's help, I will write to thee in this coming year more particulars about curious customs and strange happenings; but they are as yet new to me, though I have already been in this country for three months. Every day I see new usages about which one might write a large book. I will endeavor, as time goes on, to collect many strange things and after five years, if I continue in my present purpose, to take them home with me. God willing, I shall employ for my homecoming another route, namely, one by land. From here one goes by sea towards Ormus in Arabia, thence to Persia, and there one has good opportunity to travel through the Sophi's land and Turkey. As I learn from those that come and go from Italy, this is a very good road, for it is much used. One finds people in Ormus who assure one that they will bring you safely from Ormus to Italy. It appears quite a common thing. I shall, however, inform myself well beforehand since I have the time to do so. By this route it is not quite two thousand miles from here to Italy or Germany and these one can cover within six months; moreover, the Holy Land and Jerusalem and other such like places can be visited on the way, and so I feel much more inclined to see something more of these lands, than to go by sea, where one is in hourly peril of the ship suffering damage or being wrecked.

I ought to recount to thee many other such strange things, which however cannot be done at this moment. In the coming year, I will send thee a picture to show how every one is dressed here, to wit, bare or naked, men and women. The king and noblemen as well as the common man, only cover their shame. The Portuguese are clad only in very light garments, linen or silk. On ac-

count of the heat, woollens cannot be worn. People here have many beliefs and ceremonies. But as time goes, more and more Indians are converted to Christendom though others remain heathens. The Moors and the Jews retain their Faith. In these lands many creeds exist, but in the towns belonging to the Portuguese, the heathens or Indians are mostly converted to the Christian Faith. I also cannot omit to tell you of another custom of this country. All the kings have always thirty, forty, yes, even one hundred wives, as many as it pleases them to keep. When such a king dies or perishes in battle, these his wives must throw themselves into the fire and burn to death. In many places outside this town it is the custom also among the common heathen people that the widow of a dead heathen must likewise allow herself to be burnt alive. If she does not, she is mocked and derided. There exists still another custom. When a maiden of a noble house or of reputed ancestry marries, her kinsmen strive to persuade the king to sleep with her the first night. Much money is given to him to that end, otherwise she cannot marry. Of such customs there are many more besides this.

Also, I would tell thee that the five ships from Portugal were sent to our master. Thou shouldst know that from the sale of wine, oil, Dutch cheese, fish, paper and other things, usually the greatest profit is derived; this time no gain at all remains. All this has brought in no more than twelve to fifteen per cent, and on the ready cash brought from Lisbon one makes but a profit of twenty-five per cent. The country is no longer as it was formerly, and apart from this, our viceroy imposes so many new taxes that all commerce diminishes. If he remains here, no good will come of it. I am of the belief, however, that the king of Portugal will send hither another viceroy when he hears of the doings of this present one. There is no merchandise now that can be sent with profit from here to Portugal.

In precious stones there is nothing this year; in fact this country is not such as is generally imagined. It takes as much trouble to earn money here as in other places. Things are no longer what they were twenty years ago. Buying and selling here is more profitable than sending many wares to Portugal. German merchandise has no market here and is useless for this country. Writing tables split in the great heat, clockwork, or anything else made of iron, deteriorates at sea. This year there is nothing to send to Portugal, for pepper, ginger, maces, cocoanut fat have all been brought for the contractors, also cinnamon for the king. One really does not know this time in what to invest one's money.

The fisher has imported Dutch cheese, but is not going to derive great profit from it, since much of it was stolen aboard ship. This likewise happened to our stores. In addition, our sales have been bad. Five ships can bring much

into port, and thus everything becomes cheap. The Portuguese here are even more diligent than the people in Lisbon. The Pietras de Bezoar are always very dear and not good. After the ships have departed I will try to obtain privately some of these stones that are good, and to send them to thee next year.

JEAN BODIN

ALTHOUGH JEAN BODIN gained fame principally as a political scientist, the following selection in the field of economic interpretation, taken from a minor work first published in 1568, is important both as a record of the impact of rising prices on the sixteenth-century economy and as one of the earliest statements, if not necessarily the first, of the quantity theory of money. While Bodin speaks, on the whole, in the vein of sixteenth-century mercantilism, there are evidences of more cosmopolitan thought in his analysis. Above all, however, this brief work reflects the immediate influence of the overseas expansion of Europe on the Old World.

Prices rose sharply in Europe following the discovery of America, the looting of Inca and Aztec treasures, and the discovery of great mines such as Potosí (in 1545) and Zacatecas (in 1546). In addition, highly important mines were exploited in central Europe, and gold was brought from Africa. Between 1520 and 1585 wheat rose about two and one half times in price in the central market of Paris. Spanish prices rose 300 percent in the sixteenth century, English and French prices less rapidly. It is readily understood that this development played havoc with wages, rents, taxes, and so forth, in an economy many of whose price relationships had existed with but minor changes for centuries.

Weights, measures, and monetary units of this period are marked by the utmost confusion, as they varied sharply from place to place and time to time. The following definitions are therefore only indications which may help the reader follow Bodin's argument. The *livre*, like the English guinea of today, was not a coined unit of money but, with the exception of two brief intervals, was merely a legal and verbal term meaning so many *sous*. The *livre tournois*, or *livre* of Tours, was divided into twenty *sous*, each of which contained twelve *deniers*. In 1568, the year in which Bodin's *Reply* appeared, the *écu soleil*, the principal unit of actual money in circulation, was worth two *livres* twelve *sous*. The intrinsic value, or content in precious metal, of all these units changed greatly from time to time. It was calculated on the basis of so many *livres* or *écus* to the *marc*, a fixed amount of specie of a specified fineness. An added complication is the fact that the alloy was also occasionally varied. The *franc* of King Jean, to which Bodin refers, was worth twenty *sous*, or one *livre*, and this represents one of the few attempts made to create an identity between money of account and money in circulation. The French ell was about forty-seven inches long. The *arpent* was subject to extreme variation, but in the case to which Bodin refers, was probably about .85 acres. The *muid*, Paris measure, was somewhat over 44 bushels, and was divisible into 12 *setiers*.

The translation from the French has been made from the 1568 text edited by Henri Hauser, published at Paris in 1932. Important variations and corrections of the 1578 edition have been included.



*REPLY TO THE PARADOX OF MONSIEUR
DE MALESTROIT*

TO MONSIEUR PREVOST, Seigneur de Morsan, presiding for the King in his Court of Parlement.

You know, Monsieur, the usual complaints made about the dearness of all things: the assemblies called in all quarters of this city to consider it: the trouble that has been taken to find whence this dearness came. . . . Finally, Monsieur de Malestroit, a man deserving of a reply from a more important person than I, employed in this matter by command of the King, published a little booklet of paradoxes, in which he maintained against everyone's opinion that nothing has become dearer for three hundred years. He made some believe this, and by this means appeased the complaints of many men. But, having read his treatise these last days, I bethought myself to answer him briefly, to clarify and make understood this matter which is of great consequence to all in general and to each in particular: on the condition, if it please you, that you shall be the judge, being confident that Monsieur de Malestroit will agree. . . .

Before proceeding, I shall state briefly the arguments of Monsieur de Malestroit. One cannot complain, he says, that a thing is dearer now than it was three hundred years ago: unless, in order to buy it, one has to pay more gold or silver now than one paid then. Now, in buying all things, one does not pay more gold or silver than one paid then. Hence nothing has grown dearer in France since that time. There is his conclusion, which is necessary if one grants his minor premise, and, in proof of the latter, in the time of King Philip de Valois, he says, an ell of velvet cost only four *écus*, as good as or of even better weight and value than our *écus soleils*, and each *écu* was worth only twenty *sous* silver coin: while now, when the *écu* is worth fifty *sous*, it costs ten *livres*, which are worth no more than the four *écus*, an ell. Therefore the said ell of velvet is no dearer now than it was then. He proceeds in the same manner with regard to all Latin goods [luxury products], even to our wines and grains, but nevertheless he has no proof.

As for velvet, the Seigneur de Malestroit is mistaken in saying that the ell cost only four *écus* in the time of Philip the Fair [1285-1314]: for it would be necessary to establish first that there was velvet in France at that time: . . . the ordinance of Philip the Fair, issued in the year 1294 and registered in the Chamber of Accounts and not printed, which the Seigneur de Malestroit, Master of Accounts, could see in the book entitled *Ordinationes Sancti Ludovici*

pro Tranquillo Statu Regni, fol. 44, provides fully and in more than fifty articles the type of dress each one should wear, from the persons of princes to the most insignificant servant, and nevertheless there is no mention, direct or indirect, of silk or satin, or velvet or damask, or half silk, or brocade or any goods resembling it, although the ordinance permits certain persons to wear gold chains and belts, without any prohibition of wearing silk, either for men or women, princes or merchants, masters or servants, which it would not have overlooked, considering that the first article begins with this prohibition: No *bourgeois* shall have a chain, secondly, moreover, no *bourgeois* or *bourgeoise* shall wear gold or precious stones, nor a crown of gold or silver, nor furs of vair, of squirrel, or ermine, which is not forbidden to nobles. It is therefore an error to present the example of velvet, which did not exist in France at that time, nor perhaps anywhere in the world; for many spices were brought from India, whence silk came, from blessed Arabia, which is much farther than Broussa, where velvet was found. And if I should grant him the example of velvet, that is no reason to draw conclusions as to all things from the price of velvet, which was then the costliest goods of the Levant. . . .

As for wines and grains, it is quite certain that they cost three times as much as they did a hundred years ago, which I can say I saw in the Registers of Toulouse, where a *setier* of wheat equal to about half of ours, was worth only five *sous*, now it costs sixty *sous* at the most common prices; which is four times dearer than it was then. And, without seeking farther than this city, we find in the Registers of the Châtelet that a *muid* rent of best wheat, Paris measure, cost only one hundred twenty *livres* in the year 1524,¹ although wheat had frozen two years before, upon which estimate the rulings of the Châtelet were based. In the year 1530 the price rose to one hundred forty four *livres*; and in 1531 a certain contract at a lower price was annulled by court decree. . . .

Thus Monsieur de Malestroit should not have used produce as an example. But better to substantiate what I say let us leave produce and come to the price of lands, which cannot increase or diminish, or be altered in their natural fertility, provided they are not mocked, as is said, but are cultivated as has been done since Ceres Lady of Cicily taught their employment. For it is unlikely that land loses its vigor in growing old, as some think (though God, in just vengeance, has sent sterility for several years). Furthermore, since God placed France between Spain, Italy, England and Germany, He provided also that she be the foster mother, bearing in her bosom the horn of plenty, which never was and never will be empty; which the peoples of Asia and Africa have well known and admitted, as may be seen from all their writings,

¹ [The reference is to the conversion of an annual payment of wheat to a single payment in money.]

and likewise in the address of King Agrippa, when he wished to bring the rebellious and mutinous Jews under obedience to the Romans. Look, he said, at Gaul, which has three hundred fifteen peoples surrounded by the Alps, the Rhine, the ocean and the Pyrenees, which nourishes almost all the earth from inexhaustible resources of all goods; nevertheless these warlike peoples have yielded to the power of the Empire, after having fought valiantly for eighty years, more astonished at the good fortune and grandeur of the Romans than overcome by weariness, for they have only twelve hundred soldiers for the entire garrison. From this we see that France was no more sterile then than it is now. . . . And nevertheless we see that in fifty years the price of land has risen not to double but to triple, so that an *arpent* of the best arable land in level country, which formerly cost ten or twelve *écus*, vineyards thirty, now sells at twice or even three times as many *écus* weighing a tenth less than they did three hundred years ago. Which Monsieur de Malestroit will grant me if he takes the trouble to glance ever so briefly at our registers. And, without examining individual contracts, which may be seen everywhere, I call you to witness, Monsieur, who have often handled all the authorizations of the Chamber and all the contracts of the Treasury of France, if the baronies, counties, duchies which have been conveyed, or reunited to the Crown, are not worth as much in revenue as they once were sold for. . . .

I find that the dearness we observe comes from four or five causes. The principal and almost the only one (to which no one has heretofore referred) is the abundance of gold and silver, which is much greater in this kingdom today than it was four hundred years ago. I do not go further back since the extracts of the registers of the court and of the chamber which I have do not go beyond four hundred years. The rest has to be drawn from old histories with little certainty. The second cause of dearness comes in part from monopolies. The third is scarcity, which is caused as much by exports as by waste. The fourth is the pleasure of kings and great nobles, who raise the prices of the things they like. The fifth is the price of money, debased from its old valuation. I shall treat briefly all these points.

The principal cause which raises the price of everything wherever it be is the abundance of that which gives valuation and price to things. Plutarch and Pliny testify that after the conquest of the Kingdom of Macedonia under King Perseus, Captain Paulus Aemilius brought so much gold and silver to Rome that the people were freed from paying taxes, and the price of lands in the Romagna at once rose two thirds. Now it was not a scarcity of lands, which cannot increase or diminish, nor monopoly, which cannot exist in such a case, but the abundance of gold and silver which caused their depreciation, and the dearness of things priced [in terms of them]. . . .

It is therefore necessary to show that there was not so much gold and silver three hundred years ago as there is now, which one perceives at a glance. For if there is money in a country it cannot be so well hidden that princes do not find it when they are in need. Now King Jean ² was totally unable to get sixty thousand *francs* (let us speak in terms of *écus*) on credit in his extreme need, and during the eight years after the battle of Poitiers when he was a prisoner of the English, neither his children, nor his friends, nor his people, nor he himself who came in person, could raise his ransom, and he was forced to return to England and wait until money was obtained for him. Saint Louis was in the same trouble while a prisoner in Egypt. It is unlikely that the French people, who naturally love their king, and then more than now, and especially such a king, who had not then and perhaps will have even less hereafter his equal, should wish to suffer to see him a slave of the Mohammedans, whom they then detested. . . . Further, we read in our old histories that for lack of silver they made money of leather with a silver nail. I confide myself to the judgement of facts. And, if we come to our own age, we shall find that in six months the King raised in Paris, without going further, more than three million four hundred thousand *livres*. . . . Let Monsieur de Malestroit leaf through the registers of the Chamber and he will agree with me that more gold and silver have been obtained for the needs of the king and the state between the years 1515 and 1568 than they had been able to raise in two hundred years before. . . .

But, someone will say, from where has so much gold and silver come since that time? I hold that the merchant and artisan, who cause gold and silver to come, were idle then. For the Frenchman, having one of the most fertile countries in the world, devoted himself to tilling the soil and raising cattle, which is the greatest industry in France, so that the Levant trade was not followed, for fear of the Barbary pirates who held the African coast, and of the Arabs, whom our fathers called Saracens, who controlled the entire Mediterranean sea, treating the Christians they captured like galley slaves. And as for the western trade, it was entirely unknown before the Spaniard set sail in the Indian sea. In addition, the English, who held the ports of Guyenne and Normandy, had closed the routes to Spain and the islands. Further, the quarrels of the houses of Anjou and Aragon cut us off from the ports of Italy. But one hundred twenty years ago we drove out the English, and the Portuguese, sailing the high seas by compass, made himself master of the Persian Gulf, and partly of the Red Sea, and by this means filled his ships with the riches of the Indies and fruitful Arabia, circumventing the Venetians and Genoese, who took goods from Egypt and Syria, where it had been brought by the caravans

² [Jean II, the Good, reigned 1350-64.]

of the Arabs and the Persians to sell it to us at retail and at its weight in gold. At the same time, the Castilian, having brought under his power the new lands full of gold and silver, filled Spain with them, and showed our pilots the ways to voyage around Africa with wonderful profit. . . .

Now the Spaniard, who subsists only because of France, being inevitably compelled to get here grains, cloths, dry goods, woad, *rodon*, paper, books, even cabinet work and all handicraft products, goes to the end of the world to seek gold and silver and spices for us. On the other hand the English, Scotch and all the people of Norway, Sweden, Denmark and the Baltic coast, who have an infinity of mineral deposits, dig the metals from the center of the earth to buy our wines, our saffron, our prunes, our woad, and above all our salt, which is a manna that God gives us of special grace, with little labor. . . . This causes the English, Flemings and Scotch, who carry on a large trade in salt fish, often to load their ships with sand, for lack of other goods, to come to buy our salt with hard cash.

The other cause of the great wealth that has come to us in the last hundred and twenty or forty years is the tremendous population that has grown up in this kingdom since the civil wars between the houses of Orléans and Burgundy came to an end: which has made us feel the sweetness of peace and enjoy its fruits for a long time, until the religious troubles, for the foreign war we have had since then was merely a purgation of bad humors necessary to the entire body politic. Previously the level country had been deserted, and the cities nearly so, because of the ravages of the civil wars, during which the English had sacked cities, burned villages, murdered, pillaged, killed a good part of the French people, and gnawed the rest to the bones: which was sufficient to bring agriculture, trade and the mechanical arts to a halt. But during the past hundred years we have cleared a vast expanse of forests and wastelands, built many villages, peopled the cities. . . .

There is yet another cause for the wealth of France, that is the Levant trade, opened to us by the friendship of the House of France with the House of the Ottomans in the time of King Francis I. So that since that time French merchants have kept shop in Alexandria, Cairo, Beirut, Tripoli as well as the Venetians, and have no less credit at Fez and Morocco than the Spaniard. Which was revealed to us when the Jews, driven from Spain by Ferdinand, withdrew to the lowlands of Languedoc and accustomed us to trading in Barbary.

Another cause of the abundance of gold and silver has been the Bank of Lyon, which was opened, to tell the truth, by King Francis I, who began by borrowing money at eight, and his successor at ten, then at sixteen and up to twenty per cent in his necessity. Suddenly the Florentines, Luccans, Genoese, Swiss, Germans, lured by the great profits, brought a tremendous amount of

gold and silver into France, and some settled here, both because of the mildness of the climate, the natural goodness of the people and the fertility of the country. By the same means, the fixed charges of the City of Paris, which amount to three million three hundred fifty thousand *livres* each year, enticed the foreigner, who brought his cash here to make a profit, and finally settled here: which greatly enriched this city. It is true that the mechanical arts and commerce would make greater progress, in my opinion, without being diminished by the money trade that is carried on: and the city would be much richer if they did as they do in Genoa, where the house of Saint George takes the money of all who wish to bring it at five per cent, and lends it to merchants to trade with at eight and one third or six and two thirds per cent [*denier douze ou quinze*], which is a measure that has caused the greatness and wealth of that city, and which seems to me very advisable for the public and the individual. . . .

There, Monsieur, are the means which have brought us gold and silver in abundance during the last two hundred years. There is much more in Spain and Italy than in France, because in Italy even the nobility engage in trade, and the people of Spain have no other occupation. Hence everything is dearer in Spain and Italy than in France, and more so in Spain than in Italy, and even domestic service and handicrafts, which attracts our Auvergnats and Limousins to Spain, as I know from them themselves, because they earn three times as much as they do in France: for the rich, haughty and indolent Spaniard sells his effort very dearly, as witness Cleynaerts, who writes in his letters, in the chapter on expenses, in a single entry, for being shaved in Portugal, fifteen *ducats* a year. It is therefore an abundance of gold and silver which in part causes the dearness of things.

I shall pass over the other [second] cause of dearness because it is not so important in the present case, that is to say, monopolies of merchants, craftsmen and laborers: when they get together to fix the price of goods or to increase the cost of their day's labor and products. And because such groups usually cover themselves with the cloak of religion, Chancellor Poyet wisely advised that the confraternities be destroyed and extirpated, which was later confirmed by the Estates at Orléans [1560-61], so that there is no lack of good laws.

The third cause of dearness is scarcity, which arises in two manners. One is the excessive export trade from the kingdom, or hindrances in bringing to it things needed: the other is wasting things. As for exports, it is certain that we have wines and grains at lower prices during the war with the Spaniard and Fleming than after the war, when export is permitted. For, in part, the farmers are forced to raise money; the merchant does not dare load his ships: the lords cannot long keep what is perishable, and as a result the people must

live cheaply: for our fathers taught us an old proverb, that France is never famished, which is to say that she has plentiful means of nourishing her people however bad the year that comes, provided the foreigner does not empty our barns. Now it is certain that the wheat is no sooner ripe than the Spaniard carries it off, especially since Spain, outside of Aragon and Granada, is extremely sterile, added to which is the indolence natural to the people, as I have said: so that in Portugal grain merchants have all possible privileges, and among others it is forbidden to make prisoner anyone who carries wheat to sell, otherwise the people would overwhelm the sergeant, provided that he who carries the wheat cries aloud *Traho dridigo* [*trago trigo*], which is to say, I carry wheat. This leads the Spaniard to take away a great amount of wheat. Further, the region of Languedoc and Provence supplies almost all Tuscany and Barbary. This causes an abundance of gold and silver and the dearness of wheat: for we take from Spain hardly any other goods than oils and spices. . . .

As for the fourth cause of dearness, that arises from the pleasure of princes, who give things their prices, for it is a general rule in matters of state and bodies politic, that Plato was the first to perceive, that not only do kings make laws for their subjects, but also change customs and fashions of living at their pleasure, whether in vice, in virtue, or in matters of small concern. I shall only cite the example of King Francis I, who had his hair clipped to cure a wound he had on his head: suddenly the courtiers and then all the people had their hair cut, so that today people jeer at long hair, which was the old mark of beauty and freedom (furthermore their blond hair was considered the beauty of the northern people by the ancients); so that our early kings forbade their subjects, with the exception of native Franks to wear their hair long, as a sign of servitude: a custom which lasted until Peter Lombard, Bishop of Paris [*ca.* 1100-60], abolished these prohibitions in virtue of the authority Bishops then had over kings. Which suffices, in passing, to show that the people always conform to the will of the prince, and as a result they prize and raise the cost of everything the great lords like, even if the things are unworthy.

We have seen three great princes of the same period vie with one another as to who should have the most beautiful jewels, the greater savants, the finest craftsmen, that is, the great King Francis, Pope Paul III, and King Henry of England; so that King Francis never wished that the King of England should have Monsieur Budé³ whatever request he made: and preferred to pay seventy-two thousand full weight *écus soleils* for one diamond than to have the King of England outbid him for it. Suddenly the nobility and the people

³ [Guillaume Budé, a great French humanist, largely responsible for Francis's founding the Collège de France.]

began to study all fields of knowledge, and to buy precious stones, whatever they cost: so that the Italians, having sensed the direction of our appetites, falsified more in twenty years than India ever produced of natural ones: which they themselves were unable to conceal, calling the Frenchmen blockheads, as Cardan writes, to let themselves thus be taken advantage of. Since King Henry scorned precious stones, one never saw such low prices. It was therefore the pleasure of great lords that raised the price of precious stones, and not scarcity, inasmuch as such stones cannot diminish or wear away, except for the emerald, which is a little fragile, and the pearl which blackens and rots in the long run. But when the great lords see their subjects have an abundance of the things they like, they begin to despise them.

The last cause of dearness is wasting things which should be husbanded. Silk should be very cheap, considering that so much is made in this kingdom, aside from that which comes from Italy. Dearness comes from waste: for people are not content to dress rascals and lackeys in it, but they also cut it in such a way that it cannot last or serve more than one master: for which the Turks, as I have heard, rightfully reproach us, calling us mad and crazy to spoil, as if to spite God, the goods He gives us. They have without comparison more than we, but it is at the risk of life that one dares to cut it.

Furthermore, we use it for cloth making, and especially for hose, where they use three times as much as is needed, with so many slashes and cuts that the poor folk cannot use them, after monsieur is surfeited with them. And what is more, they use three pairs instead of one, and to give grace to hose, an ell of goods more than formerly is needed to make a short jacket. Fine edicts have been issued, but they accomplish nothing: for since what is forbidden is worn at court, it will be worn everywhere. So that the officers are intimidated by some and corrupted by others. Added to which is the fact that in the matter of clothes, he is considered a fool and a blockhead who does not dress in the fashion of the day: which fashion has come to us from Spain, as, furthermore, the hoops which we borrowed from the Moors; with such advantage that doors are too narrow to pass through, which is very far from the old modesty of our fathers, who wore clothes, as Caesar says, plain and fitted to the body, bringing out the proportion and beauty of the limbs. The Germans, on the other hand, wore them wide, which leads to unbelievable waste; from waste comes scarcity; from scarcity comes in part the dearness of clothes. Aside from fashion which often raises the prices of goods: to adorn them with embroidery, edgings, lace, fringe, twisted threads, gold braid, embroidery, *chenette* cloth, *bors*, back stitches and other things they invent from one day to the next, for after the prohibition of cloths of gold and silver there were to be found women who wore dresses made at Milan at the price of five hundred *écus*

each without gold or precious stones. And from such finery we come to house furnishings, to beds of cloth of gold or exquisite embroidery, to buffets of gold and silver, and, for everything to be fitting, one must build or take magnificent lodgings, both that the furnishings be suitable to the house, and the manner of living fit for the dress: so that the table must be filled with many dishes. For the Frenchman, because of the nature of his country, which is colder than Spain and Italy, cannot live on toothpicks like the Italian. Whence comes the exaggerated excess in all kinds of meats, and the taste for delicacies unknown to our fathers, which has so conquered this kingdom that there are no shop clerks who do not wish to dine at the table of More [a well known restaurateur] for an *écu*, the masters at two *écus* per person, which is one of the most pernicious plagues of Paris. . . .

We have discoursed on the reasons for the dearness of things. It remains to show that Monsieur de Malestroit is also mistaken with regard to the standards of the moneys coined in this kingdom within the last three hundred years. For he says that Saint Louis had coined the first *sous* worth twelve *deniers*, and that there were only sixty-four of them to the *marc*. He says also that at the time of Philip de Valois the golden *écu* strewn with *fleurs de lys*, of better weight and alloy, than ours, were only worth twenty *sous*. Then later King Jean had coined *francs* of fine gold [with his image] on foot and on horseback, which were worth only twenty *sous*. Furthermore that the silver *sou* of that time was worth five of ours. He says nothing of what standard, of what weight and alloys the moneys were.

As for this last point, he contradicts himself: for he agrees that the old *écu*, which weighs three *deniers* full weight, is worth only sixty of our *sous*: so that the old *sou* of fine silver was only worth three of ours: and nevertheless the horse and foot *francs* weigh less than the old *écus* by four grains, and are not of better alloy: inasmuch as in one and the other there is a quarter carat variation in alloy permissible. Further, by the ordinance of the year 1561 the old *écu* is at sixty *sous*, and the foot or horse *franc* at fifty-five *sous*. Thus he is mistaken by almost half as to the proportion between the old *sou* and ours. For if it were as he said, that the old *sou* of fine silver was worth five times as much as ours, the old *écu* would be worth one hundred *sous*, the foot or horse *franc* four *livres* ten *sous*. . . .

We must therefore conclude that if the house which sold for two hundred old *écus* one hundred twenty years ago sells today for eight hundred *écus soleils* which is worth two thousand *livres tournois* of our coin, subtracting an eighth by which the old *écu* is worth more than the *écu soleil*, there remain six hundred seventy-three *écus soleil*, which amount to one thousand seven hundred fifty *livres* or thirty-five thousand *sous* of our money, and if we take

the case of gold *francs* we would only have to subtract a ninth, and there would remain seven hundred eighty *écus soleils* for which the house sells, which is three times more than it cost at that time. Which I wished to relate in detail, especially because Monsieur de Malestroit said no word of what proportion existed between the *écus* to fit them to our conventions.

So much for dearness in general, without treating particular changes which raise things above their ordinary prices: as foodstuffs in times of famine: arms in times of war: wood in winter: water in the Libyan deserts, where there is a tomb in the plain of Azaoad, which bears witness in engraved letters that a merchant bought from a wagoner a cup of water for ten thousand *ducats*, and nevertheless the buyer and the seller died of thirst, as Leo the African [an Arabic geographer] writes: or handicraft products and hardwares in the places where they are not made, which are usually cheaper in cities with many artisans, like Limoges, Milan, Nuremberg, Genoa, Paris, Damascus, Venice: or for the greater abundance of people and money in one place than another: as at Istanbul, Rome, Paris, Lyon, Venice, Florence, Antwerp, Seville, London; where the courts of kings or great lords or merchants attract people and money, foodstuffs are dearer: as was ordinarily the case in Rome, where, because of the abundance of gold and silver and of people who came from all parts of the world, famine was frequent, so that Augustus was compelled to drive from the city the herds of slaves and gladiators, and all foreigners, except teachers of the young and physicians, besides twenty-eight colonies which he took from Rome and dispatched all over Italy. Sometimes, too, the change comes because of a new edict, as happened at Rome, where houses suddenly rose in price by one half, owing to the edict of Trajan, which provided that all those who wished to have estates and honorable offices, should employ the third part of their wealth in buying properties in Rome or the vicinity. All these particular things are not relevant to the present case, which is general.

Now that we know that things are dearer, and the causes of this dearness, which are the two principal points we had to prove to Monsieur de Malestroit, it remains to remedy the situation with the least harm possible, with which Monsieur de Malestroit in no way dealt, holding it quite certain that nothing was dearer.

Firstly, the abundance of gold and silver, which is the wealth of a country, should in part excuse the dearness: for if they were as scarce as in times gone by, it is quite certain that all things would be as much less esteemed and bought and gold and silver would be more valued.

As for the monopolies and the waste that occurs, I have stated my impressions above. But it is in vain that we make fine ordinances regarding monopolies, excesses in living and clothing, if they are not enforced: and indeed they

never will be enforced if the king in his goodness does not see that they are obeyed by the courtiers: for the rest of the people guide themselves by the example of the courtier in matters of splendor and extravagance: and there never was a body politic in which health or illness did not flow from the head to all the members.

As for the export of goods from this kingdom, there are several great personages who strive and have striven, by speech and writing to extirpate it completely, if it were possible: believing we could live happily and cheaply without giving anything to nor receiving anything from the foreigner. But they are mistaken, in my opinion: for we have business with foreigners and could not get along without it. I grant that we send them wheat, wine, salt, saffron, woad, prunes, paper, cloth and coarse stuffs: but we also get from them in exchange first, all the metals except iron; we obtain from them gold, silver, tin, copper, lead, steel, mercury, alum, sulphur, copperas, cinnabar, oils, wax, honey, pitch, Brazil wood, ebony, fustet, guaiacum, ivory, morocco [leather], fine cloths, cochineal dyes, scarlet, crimson, drugs of all sorts, spices, sugars, salt salmon, sardines, mackerel, cod, and a great number of good books and excellent handicraft products.

And even if we could get along without such goods, which is not at all possible, but even if it should happen that we should have enough to resell, we should still have always to trade, sell, buy, exchange, lend, even rather give part of our wealth to the foreigners, and especially to our neighbors, if it were only to communicate and maintain a good friendship between them and us. . . .

There remains but one argument to which we must briefly reply. When export occurs, they say, all things grow dear within the country. I deny this point, for the things that enter in place of those that leave bring cheapness in things that were lacking. Furthermore, to hear them speak, it would seem that the merchant gives his goods for nothing: or that the riches of India and blessed Arabia grow in our land. I shall except only wheat, whose export should be more wisely regulated than it is. For we witness dearth and intolerable famines for lack of foresight: so that France, which should be the granary of all the west, receives boats full of poor black grain [buckwheat] most often brought from the Baltic coast, which is a great disgrace for us. The way to regulate this is to have in each city a public granary, as they formerly had in well ordered cities, and each year the old wheat should be replaced. By doing this we should never have such high prices as we see, for, besides making provision for bad years, we should also destroy the monopolies of merchants who store all the wheat, and often buy it in the sheaf, to fix the price at their pleasure. . . .

As for the last point, the only thing that can keep goods at stable prices is stable money. For it is certain that we shall never see an end to the abuses that occur if moneys are not limited to three types, and of the highest standard possible, after having demonetized all *billon* [i. e., copper alloy coinage]. That is the only way of exterminating the counterfeiters, overcoming the flatterers [of kings], who have the standard of moneys raised and lowered: of stabilizing, almost, the valuation and prices of things: in short, of facilitating the smooth flow of trade.

I say, therefore, that if all gold money were at twenty-three carats with no variation in alloy permissible, all silver money at eleven *deniers* twelve grains legal standard silver: the rest of the money in pure red copper, and the gold and silver money milled to prevent clipping, one would very easily know the goodness of money by eye, sound, pliability, weight and touch, without using fire or graving tools: and they could not be counterfeited without its being perceived. . . .

But there is still a further point: that is that the flattery of courtiers, who have the standard of money changed, will be overcome by this means. For, once *billon* has been demonetized, if afterwards they should wish to restore it, there will be no one who will not oppose it: as happened in the year 1306, when Philip the Fair first altered the money of pure silver, for which reason Dante calls him *Falsificatore di moneta*: he had tremendous difficulty in getting it accepted. So that the people of Paris mutinied, pillaged and sacked the house of Étienne Barbette, and even went to besiege the king in the Temple, throwing his dinner, which was being brought to him, in the dirt, with great insolence.⁴ And, while the king meted out some punishment for this, nevertheless, fearing a greater uprising, because of this *coup* he restored the silver money to the previous standard. True enough that ten years later it was again reduced by half.

Some will say that to weaken the standard and raise the price of money is, in case of necessity, a prompt means of providing the king with money without oppressing the people. There is a double reply to this: firstly, it is an imposture and a pure fraud of the courtiers to say that the king and people gain thereby, inasmuch as one and the other so obviously lose: just as if one were to take [grapes] from a vine without cutting or trimming it, and in this way make it die in three or four years: thus it happens when one debases moneys and raises prices. In the second place, necessity has no law whatsoever, if necessity there be. . . .

The third profit to be gained from coining money in the way I have stated

⁴ [Barbette was a *bourgeois* of Paris who was believed to have advised the debasement. The Temple was the house of the Knights Templar.]

is that the foreigner will bring much merchandise, and will make a lower price, as we see in Spain where the *ducats*, double *ducats* and old *reals* attract the foreigner, who leaves his goods at a low price in order to have such money, although it be forbidden to take it from the country (which should also be forbidden in this kingdom) and carry it to his own country, there minting it in his prince's coin. . . .

On the contrary, if the money is too weak for its price [overvalued] one must trade with the foreigner at a loss of cash: for he does not want such money, except at the price which he can get for it in his own country. And, if there is nothing to give in exchange for the goods, the country remains poor. . . .

There, Monsieur, are the reasons which are, in my opinion, compelling or at least obvious, with respect to the dearness of things, and the remedies which may be applied to it. But truly to know if they are relevant it is only necessary to refer them to the severe test of your best judgement, which will assay them much better than the Lydian stone, or than fire can with gold. Which has given me more assurance in setting it all forth according to the view of a single individual. For who would be the one to disapprove that which you have already approved? It is not, however, because I expect to be believed, which would be something too ridiculous: and less yet to contradict anyone: but to invite those who are best informed in affairs of state to consider it a little more carefully than they do. And especially to inspire Monsieur de Malestroit to continue, as he has begun, in such a fine subject. In doing which the sovereign princes, who have the power to promulgate law, with those who advise them, will be, as I believe, more certain as to what should be ordered for the honor and advancement of the body politic, after having heard from many of the just complaints and grievances of the poor people, who know well sorrow, but for the most part cannot judge competently as to whence it proceeds, and those who have a somewhat better comprehension of it can have no other hearing, nor other means than the written word, to make the malady understood by those who can easily remedy it.

TRANSACTIONS OF JACOB FUGGER THE RICH

JACOB FUGGER (1459-1525) was not only a successful German merchant but an outstanding example of the rising capitalist entrepreneur in European economic life during the sixteenth century. His business activities were not confined to trade but included banking, finance, and manufacturing (mining) as well. He advanced loans to private individuals, kings, and the pope. He collected papal revenues from the sale of indulgences and transferred other taxes to Rome. His business practices constituted an open challenge to the doctrine of just prices and the prohibition of the taking of interest on loans.

Jacob Fugger's political influence was unmatched. He financed the election of Charles V by advancing the money required for the purchase of the votes of the electors. His power was such that he could afford to refuse unsecured credit even to the most powerful sovereign.

In more than one respect Fugger adopted and further developed the trade and accounting practices of Italian merchant princes. "Indeed, it was in part, as for example in the case of the great financial transactions with the Habsburgs, the same pledges and securities which had formerly served the Italians that Jacob Fugger . . . utilized." Fugger was able to outgrow his contemporaries because he succeeded perhaps better than anybody else before him in making the acquisition of wealth the predominant and indeed the sole motive of his life. When during his last years relatives suggested to him that the time had come to enjoy the wealth he had acquired, he is said to have replied that he had no intention of abandoning his business and that he wished to make a profit as long as he could.

Of special interest are his efforts to secure the continuity of the family partnership after his death. His refusal to divide the heritage, his insistence upon keeping the business capital intact, and his endeavor to centralize control in his hands after the death of his brothers Ulrich and George are significant primarily because they indicate the limitations of a family partnership and throw light on some of the reasons for the emergence of the corporate form of business organization.

The following translation from the German of the articles of association between Jacob Fugger and his four nephews and the letter from two official negotiators to Emperor Maximilian are taken from Jacob Strieder, *Jacob Fugger the Rich* (New York, The Adelphi Company, 1931).



*ARTICLES OF ASSOCIATION BETWEEN JACOB
FUGGER AND HIS FOUR NEPHEWS*

(December 30, 1512, Augsburg)

I, JACOB FUGGER, burgher of Augsburg, hereby announce and make known to all and sundry that the former Ulrich and George Fugger, my beloved brothers, now deceased, and I for a period of several years carried on our fraternal trade together out of our common capital, and according to the property of each; and to that end we severally made contracts mutually binding upon ourselves. . . . These contracts were made in similar terms, and in them we bound ourselves mutually for ourselves and our various heirs in such a way that, if one or two among us three brothers died, the two or one remaining alive among us should determine for the heirs of the deceased what was their capital and their profit or gain. With this decision the heirs should be entirely satisfied, and should demand no further accounting, nor any other reckoning. Also, when one or two among us died, it should remain the same as though he or they still lived; and the same articles should continue to be in force, and the two or one among us who still lived should govern and act, according to these articles, exactly the same as though we all three still lived.

And it has now come to pass, in accordance with the will of the Almighty, that my two beloved brothers are deceased. . . . For that reason, I have now to make an accurate accounting, and an approximate estimate, in accordance with the above-named agreements and articles, to my two deceased brothers' heirs. . . . To all these I must make a distribution and a complete list on account of all the other property of my two above-named deceased brothers, and concerning all this arrange a complete transfer by quitance and in other ways.

For the fraternal association of myself and my two brothers Ulrich and George, in so far as it concerns the common trade, is now ended. In view of all this, and in order that the business begun by us three brothers might the longer continue, and so that our family and name be properly carried on, and my two brothers' sons become familiar with the trade, I have determined to carry on and manage the business myself, and to take industriously in hand my two brothers' sons, namely Ulrich and Hieronymus, sons of my brother Ulrich, and Raimund and Anton, sons of my brother George. I therefore invite them to join me in my common trade and in the Hungarian trade, and hereby do take them in with me in my business, for the six years next following the date of this document, and according to the terms of this agreement, but under no other conditions than the following:

The above-named four, my nephews, shall leave with me in my trade, for profit and loss during the specified time all their capital which is due and owing to them on account of the distribution and of the gain and profit of the trade which their two fathers and I formerly carried on, together with the noble and honorable Hansen and George Thurzo, our brothers-in-law, and otherwise. And this shall have reference to both the landed property and the "Preferred Share." And in my next accounting, which I shall give in the way determined upon by my two deceased brothers and myself in our agreements, they shall accept in their entirety the amounts which I shall allot to them or their heirs, and shall waive all further advances, and shall give me a complete quittance in the matter.

Furthermore shall my above-mentioned four nephews collectively and each in particular recognize and look upon me as the head of this my business, together with such trade as I give them to do and accomplish; they are also faithfully bound to be true and obedient in all things, in whatsoever form and for whatever things this may be required, and to further the trade and business, and to avoid damage and injury to it to the best of their ability, and to hold the business in complete secrecy and tell no one. And the association shall be called *Jacob Fugger und seine Gebrüder Söhne*, or in Italian, *Jacobo Fugger e nepoti*. They, my four above-mentioned nephews, shall also in unison and singly carry on such trade in accordance with my command, and shall do nothing but what I command and give them permission to do. And if I direct one or all of them to do something, and afterward recall it to myself, they shall not dispute it. And what I alone arrange, or bind the association to, to that shall they also none the less be committed, and shall be bound to its accomplishment along with me.

And what the above-named my four nephews collectively or singly shall do, that shall they or he in no way keep secret from me. To that end shall none of them conceal from me the record books or other writings, or their acts, but shall show me all faithfully and without contradiction. The same shall be done by their heirs, should one of them die; and they shall not have the power to enter into trade, nor to seize any writings, nor to conceal or keep them from me.

These my nephews shall further, neither collectively nor singly, carry on any kind of trade, enterprise, or association for themselves, neither among themselves nor with anyone else, without my knowledge and consent. To that end shall none of them, without my knowledge, consent, and desire undertake any kind of responsibility whatever, whether in money or landed property, neither orally, nor in writing, nor in any other way, neither for himself nor among themselves for me or for another outsider; and no matter in what

fashion such might take place, it shall nevertheless be entirely void and without force.

Each of my above-named nephews shall also, in my business, render faithfully and truly an account of all his receipts and disbursements and his other dealings, and whatever is lacking in the accounting, he shall make good himself. And whatever any one of them shall for himself require, take, or need, that shall be charged to him. Nevertheless shall none of them without my permission and consent take any considerable amount of money to use for himself, nor take it in any way from the business. When, however, one or more desires money from the business for his need or nourishment, such money I will give and accord to him, but not more than the fourth part of his capital in the six years, but only at one time, and at a time when such payments seem to me to be least disadvantageous or harmful to the business. And the profit and gain for such sums shall then according to reckoning be withheld from him or them.

And since they, my nephews, have not contributed with me in two equal third parts to my Hungarian and other common trade, but I rather have had to contribute the larger share, it shall rest with me, and upon my pleasure, whether I grant and accord to them, for the gain and profit therefrom, anything in excess of their due, and their share in the capital.

And I reserve to myself, and have the right and the full power, in case any of the above-mentioned my four nephews, singly or in several conduct himself or themselves contrary to my pleasure and will or otherwise unfittingly, to dismiss him or them, before the expiration of the six years, or the extension thereof, in the business and the association, without being required to give any cause for my action; or to give them notice within the said six years and before the expiration of the same, or the extension thereof, or at any time that I choose. On the other hand, my nephews shall not have the power, singly or together, to do the same before the expiration of the six years or the extension thereof. And during the six years before the expiration of the same, or after the expiration of the six years, or as I may desire during the six years to dismiss from the trade, or give notice to one or more of my said nephews, or in case one or more dies during the six years or the extension thereof, then or otherwise, whenever I desire, for a long or short period, I shall and will have full power to close up all the business, affairs, and accounts that are then outstanding, and to reckon them up; and when I have thus done and reckoned, to say to them and their heirs how much belongs to each of them or their heirs. And with what I allot or reckon to each of them or the heirs of the same, they and their heirs shall be entirely satisfied, content, and appeased, without making any controversy, and shall accept that, and shall demand no further accounting nor anything else, but shall accord complete belief to my simple word. And

the payment in the said case, both of capital and of profit, to whom it may belong, shall take place in six successive Frankfurt fairs, a sixth part at each fair; but in all the said cases, when the allotment and payment shall take place through me, it shall rest with me whether I divide and give over to them singly or together, or to the heirs of the same, debts or goods in making the payment, and how they shall be appraised or valued. And also after notice of the payment has been given, such money shall no longer lie for profit or for loss.

When then the six years have passed and expired, and in the meantime by me alone or after the six years by me and my nephews, the above-mentioned further contract has not been made, or I have not concluded another one with them, then this shall hold another three years after the expiration of the six years; and further, if after the expiration of the said three years, I have not further contracted with them, then it shall continue further. In case I should die in the six years, or during the time of the extension, then my two nephews, Ulrich and Raimund, shall sign my name as it is now done, and shall have the power to carry on the business and the association, to handle money, debts, and goods, as though I were still living, and shall alone do and have all the power and the right which I have toward themselves, their brothers, and their and my heirs to make an accounting, statements, estimates, and deliveries; and shall not be disputed therein by my heirs nor by anyone else, but these shall trust and believe their simple word.

They, my two nephews, Ulrich and Raimund, shall not be hurried by my heirs for what is due to me from the business for capital and profit, but they, my two nephews, shall as stated above between themselves make an accounting and in one year or one and one-half years after my death shall make it known to my heirs, and then, in accordance with the announcement, in three years at six successive Frankfurt fairs shall make complete payment. . . .

I, Jacob Fugger, burgher of Augsburg, acknowledge in further confirmation all the above with this my own signature, and that this document is thus, with all its contents above described, by me declared, done, and arranged, and is sealed by me and others therein named, on account of my request.

*LETTER FROM EMPEROR MAXIMILIAN'S TWO
REPRESENTATIVES, TO THE EMPEROR
(October 2, 1515, Augsburg)*

OUR MOST GRACIOUS EMPEROR. We arrived here on Friday, 28 September, at three P.M.; and as Your Majesty's instructions and [authorization] reached us on the following Sunday at two P.M., we thereupon, with utmost zeal

opened negotiations with Jacob Fugger concerning an extension of time on the three points or articles, according to Your Majesty's instructions, and first on behalf of the 12,000 gulden. To this he gave us a detailed answer, namely, that he had extended loans to Your Majesty for some time past, and in this year had given to the smelting works at Rattemberg Schwaz silver and copper, and to Your Majesty's treasury and in other ways had furnished such large sums of money that the total amounted to 300,000 Rhenish gulden. Practically all of this remains as yet unpaid to him, so that he suffers a great lack of ready money, and has had to contract loans among his good friends, which will have to be repaid out of the income from the above-mentioned deals and loans. With special reference to the 12,000 Rhenish gulden, which are due him at Christmas-time, he has arranged to pay out of that amount the 10,000 gulden which he owes to the treasury at Innsbruck, and which fall due on December 1. In other respects, too, he has made his reckoning with the desire not to be confused in his arranged and ordered payments, and asks to be excused to Your Majesty and your government on account of this loan, so that he may be spared this time, until such time as he has satisfied his creditors, by which time he will have partly raised the above sum of gulden. Otherwise he would not have refused to have extended further loans to Your Imperial Majesty and the officials of the government, as he would like to do with the best will.

He also had not expected, in view of the obedient loan, which he had recently made on the trip from Vienna, with great difficulty and cost, to Your Imperial Majesty, that Your Majesty would so soon seek a further loan—and with other words requested that we, as above stated, should excuse him to Your Imperial Majesty and the gentlemen of the government.

Thereupon we again repeated to him with the greatest justice, and showed him the serious situation and duty which now lay before him, and also the gracious trust reposed in him by Your Imperial Majesty and all your government at Innsbruck, and with other words urged him to consider it all, and said we would come to him again and would hope to receive a better answer from him.

And when we came to him the next day, he clung to his first answer; and thereupon we took up with him, according to our instructions, again with great skill, the other dun, namely that for 58,000 gulden. Thereupon the said Fugger gave us an answer as follows, namely: that to him such dealing was entirely unreasonable, and it would not redound to his credit that one desired discussions and arguments over arranged and concluded contracts, and delay of the payments; he was forced to take into consideration that, if he did this once, and the payment became due again, he would again be involved in discussions and arguments over a delay in payment, and the like, which was not reasonable

to him as a merchant, and might indeed involve discredit for the treasury among other merchants who took note of this.

Also it was no part of his intention to put out money simply at interest; it was not right nor advantageous, etc., and in spite of much talk and controversy, he would give no other reply or answer concerning this point. But we again requested of him that he consider it, and that we should come again to him after eating. But he said, he would not refuse us, but he feared he would not be able to think otherwise.

And so we came to him again after luncheon, but he clung to his former answer, repeating all the above-described objections, so that we, according to our instructions, had to bring up the third point, concerning a silver or copper deal, which we then did with the greatest zeal. Thereupon he answered us that while he truly wished to do for the pleasure of Your Imperial Majesty and the government everything which lay in his power, with repetition of his great expenditure and debts, as described above, that the silver was promised to the seventh or eighth and the copper to the fourth year. He also pointed out, with a special complaint, that, although formerly from 12,000 to 14,000 marks of silver had been produced in the smeltery in a year, now, when he had loaned a considerable sum of money on it, not more than 6,000 or 7,000 marks were made in a year, which was a great injury to him, and one that he had not reckoned on. And he did not know how long he would live, or how it might be over a period of years on account of this war. And he had in addition a good deal of negotiating, and it increased daily, so that men now came to him at his house to whom he would willingly have traveled far in years past, which he would like to be rid of. Nevertheless, he had decided, since he was advancing in years and had no children, to carry out the business in which he was now engaged and to refrain from entering upon other long-time deals, and to bring in the debts which were now outstanding, and to pay his creditors, etc. None the less, if he had money, which he did not at this time, or if the matter could be delayed until Easter-time, he expected that in the meantime from the above-mentioned deals and debts perhaps a hundred thousand gold gulden would come in and be paid, so that if propositions were then made to him by His Majesty and his government, which were not too far-reaching, and so that he could look to a definite and certain place from which he would recover his money in time, he would then go into negotiations and gladly do all he could, as he had formerly done for the sake of Your Imperial Majesty and his government alone, and not because of any profit or gain.

He also pointed out to us how we might raise something from other merchants here, several of whom he named to us; he also stated that he had at the present day well over 300,000 gulden of copper deposited in three or four

places, of which very little had been sold since the latest copper contract, and that he hoped to bring copper to a higher point than it had ever been.

And although in this matter we intimated to him more than once that if he knew of any proposition which was reasonable to him, and on the basis of which he would loan money to Your Majesty, he should describe and explain this proposition to us, so that we could make it known to Your Majesty, and ask you to let us know about it, but he did not wish to make us any proposition, but indicated to us that since the silver from the Schwaz and the smelting plant were promised for a long period of years, it would not be reasonable to him to put out money at any interest, and for that reason he truly knew of no plan. He would, however, gladly consider a proposition from us, and if it seemed to him at all acceptable, he would gladly and obediently conduct himself therein as heretofore. Accordingly Your Imperial Majesty and your whole administration should take under consideration, whether and how one or more such propositions could be formed, and graciously let us know by the earliest post. And we should act therein to the height of our capacity and enterprise.

And since Your Imperial Majesty's instructions required us to notify you of the dealings we had with the Fugger, together with all our advice and counsel, although our advice in the matter is slight, still we think, if the proposition is made to the Fugger in the nature of a contract or otherwise, with good security, but not with interest, nor too circuitous nor too long drawn out, he should within a short time after the making of the contract have ready a sum of money, and more later, even though in his reply he refuses Easter as a date. For as Your Imperial Majesty informed us at the conclusion of our instructions, if Fugger wished to do neither the one nor the other, that we should deal further with the Höchstetters and other merchants, we none the less wish to open the negotiations in the meantime with the Höchstetters, and whether we are successful or not, later turn to other merchants. And still we do not wish to deal too soon or too suddenly with them upon the credit of Your Majesty, unless we find that something worth while can be thereby secured. In the meantime, and before we negotiate something explicitly with other merchants, we hope Your Majesty will notify us about this matter of the Fugger, so that we know how to conduct ourselves.

In case, however, that we, before we receive an answer from Your Imperial Majesty concerning this notice of ours about the Fugger, make some definite deal with other merchants, we will make it known to Your Majesty by day-and-night post; although the treasurer fears that we will make no deal and find no large sum of money with other merchants than the Fuggers, we wish nevertheless to make our modest efforts therein with the best means.

MONOPOLISTIC TRADE PRACTICES

THE DISCOVERY of an all-water route to India not only prepared the way for a shift of trade from the Mediterranean to the Atlantic but also led to far-reaching economic changes in those countries whose merchants acted as middle men between the North Italian city-republics and western and northern Europe. The merchants of southern Germany who had always carried a major share of this transit trade were quick to adjust themselves to the new conditions resulting from the displacement of Venice and Genoa by such Atlantic ports as Lisbon and Antwerp in the trade of spices, silk, precious stones, metals, fruits, and other commodities from India. Traders from such centers of German merchant capitalism as Augsburg, Nuremberg, and Frankfort soon found it profitable to combine their capital in large trading companies, at first for the purpose of buying and transporting goods in common and later even in order to sell them at fixed prices. By these and other restraints of trade commonly used by monopolists, they succeeded in concentrating the bulk of the trade in their hands, thereby accumulating substantial profits and driving smaller competitors out of business. Lucas Rem, a sixteenth century chronicler from Augsburg has the following to say about a successful merchant (Hochstaedter) from the same city: "He had the reputation of being a good Christian, yet he often oppressed the common man. He would buy up at good bargains all the ash-wood, corn and wine, and keep them in storage till a great demand arose for them when he would sell at very high prices. Often he would buy up all of a certain kind of goods at a price above the market, and thus create a demand for the article and sell at his own price. No merchant worth less than 100,000 florins could compete with him."

It was inevitable that the trading practices of the large companies should become the source of widespread resentment. Ever since the beginning of the sixteenth century embittered protests were voiced against the merchants whose practices were labeled as monopolistic and decried as oppressive of the "common man." In particular, the companies were held responsible for the marked rise in prices which took place during the first quarter of the sixteenth century. It is, however, only fair to point out that the general rise in prices was only in part due to the "monopolies"; other factors which made for higher prices were the general increase in the supply of precious metals, which led to a greater volume of currency in circulation, and the decrease of supplies from Venice during the latter's war with the League of Cambray.

The general storm of protest against the trading companies led to legislative action by various German Diets meeting from 1512 to 1529. Such action remained, however, largely ineffective. This was due primarily to the opposition which the large merchant cities, notably Augsburg, put up against any effective measures of control which would have destroyed the sources of their prosperity. In accounting for this failure to curb monopolistic practices in the early sixteenth century, J. S. Schapiro (*Social Reform and the Reformation*) suggests that "the agitation against monopoly ostensibly in the interest of the 'common man,' was really in the interest of the

small dealer who had just enough influence to make his complaint heard but not enough to compel effective action."

The following selections from the Minutes of the Diets at the time of Charles V have been translated from the German, *Deutsche Reichstagsakten unter Karl V* (Gotha, Friedrich Andreas Perthes, 1896), Vols. II and III.



DECREE DEALING WITH MONOPOLIES PASSED BY THE DIET OF COLOGNE IN 1512

IN RECENT YEARS numerous trading companies and individual merchants in the Empire have been able to get exclusive control over all sorts of commodities such as spices, ores and woollen cloth and others; they fix prices arbitrarily and for their own benefit only. As these trading companies and private merchants inflict considerable injury to the Empire and to all estates in violation of the general written law of the Empire and all rules of fairness we decree that for the sake of the common interest all such injurious traffic be forbidden. Anyone found guilty of disobeying this ordinance shall have his property confiscated by the magistrate of his town; moreover, companies and merchants found guilty of violating this ordinance shall not be given protection by any authority in the Empire.

This decree, which shall not be construed to prohibit the establishment of partnerships for the purpose of buying and selling of merchandise, applies only to acts by which merchants monopolize supplies, fix prices arbitrarily, and agree among themselves not to sell to third persons at lower prices.

In case business transactions not expressly prohibited by this decree lead to an unfair rise of prices it should be the duty of the magistrate in each town to take appropriate steps by fixing fair prices. If the local magistrates fail to do their duty promptly, it falls upon the imperial fiscal authorities to take action without any further delay.

REPORT BY A COMMITTEE OF THE DIET OF WORMS, 1521

WHILE THE DECREE of the Diet of Cologne dealt with monopolistic abuses in the trade of only three commodities it is important to note that similar monopolistic practices are found also in the trade of many other commodities as

for example silver, copper, zinc and other metals, wax, leather, dyestuffs, wine, grains, etc.

Whereas the first paragraph of the Cologne decree contains provisions for the punishment of violators, the second paragraph permits the establishment of trading companies provided the latter do not obtain exclusive control over commodities; this raises the question whether exclusive control may not be exercised simply by agreement among two or several companies and merchants. Moreover, even if the companies do not purchase the whole supply of a given commodity they may still bring under their control the greater part of the total supply and thus be able to effect an illegal rise of prices. These cases require further investigation and regulation.

As to the third paragraph of the Cologne decree which provides for an intervention of the Imperial fiscal authorities in case the local authorities do not take appropriate action, it is important to note that the magistrates of the Free Cities of the Reich in which the bulk of all commercial transactions takes place are not only on friendly terms with the merchants but frequently share in the profits of trade; consequently, they are often neither impartial nor above suspicion. It is, therefore, necessary to appoint other inspectors and judges. . . .

It is also reliably reported that many persons of high repute in the Empire, such as counsellors of electors, princes and other authorities share in the profits of trading companies and merchants. This collusion with the authorities enables the companies and merchants to thrust a still heavier burden upon the population. It is, therefore, necessary to forestall such collusion by placing the above mentioned princes and administrators under a special oath not to engage in these practices.

One effect of monopolies is the loss of gold and silver coins to foreign countries in payment for wares which in themselves do more harm than good to the German people. . . .

Sometimes the companies sell their goods at a lower price in order to ruin or drive away the smaller merchants so that they are free to charge higher prices later. . . .

We are of the opinion that the decree passed by the Diet of Cologne is not only inadequate but has not been sufficiently enforced. Although it is urgently required to mitigate the evils of monopoly, the present Diet has not been able to take any further action in the matter for special and good reasons. It has, however, been decided to request the Imperial Council to take effective measures to free the people from the evils of monopoly. To this effect the Imperial Council shall consult experts in order to make its action yield a maximum of benefits.

*REPORT ON MONOPOLIES, BY A COMMITTEE
OF THE DIET OF NUREMBERG, 1522-23*

THE TERM "MONOPOLIA" is derived from two Greek words which may be freely translated "to sell alone."

It is not for the first time that monopolistic practices have become the object of complaints. The Roman Emperors recognized that monopolies are in conflict with the public interest and punished those responsible for monopolistic practices by the confiscation of all their property. . . .

In open violation of these Imperial statutes monopolistic practices have become so widespread that Emperor Maximilian, and the electors, princes and estates assembled at the last diet of Cologne in 1512 decreed severe penalties against those who through monopolistic practices contributed to a general rise of prices.

[There follows the text of the decree adopted at Cologne in 1512.]

The failure of the city magistrates to enforce this decree has been extremely detrimental to the common good. The toleration of monopolies is not only a violation of the laws: it is also an offense against God. While petty robbers and thieves are punished severely, rich companies and their associates, who have done more injury to the common good than all the highwaymen and petty thieves taken together, live in extravagant luxury.

Three questions may be raised with respect to the problem under consideration:

- 1) Does the existence of large trading companies injure the common good and the interests of the Empire and should they, therefore, be abolished?
- 2) Are all companies to be abolished or should they merely be put under public control?
- 3) What methods should be employed to accomplish the end desired?

With respect to the first question the negative effects of the accumulation of commodities by large companies may be illustrated by the case of the trade in spices. . . . Trading companies which buy spices directly from the King of Portugal do not object to the highest prices asked and, indeed, offer even higher prices than those asked on condition that the King agrees to sell to other merchants only at still higher prices. Companies are known to have offered the King, who asked only 18 ducates for a quintal of Indian pepper, 20 ducates and even more on condition that he charges other buyers 24 ducates during the next two years. Thus, and by overcharging one another, it has come to pass that spices which originally could be bought for 18 ducates are now

sold at 34 ducates, or almost double the former price. The same thing has happened with other spices. Far from losing on these transactions the merchants make enormous profits, because they can sell at the highest possible prices in view of the fact that nobody else in the Empire has access to the goods. The injurious effects of these practices are easily understood in the light of the following comparison of present prices with those charged a few years ago.

[There follows a comparison of prices for several kinds of spices.]

As a result of further transactions and agreements among merchants and grocers the common man has to pay even higher prices for commodities than those indicated in the foregoing comparison. . . .

In order to conceal their dealings and profits the companies do not raise prices on all spices at one time, but on one article one year, another article next year, etc. And as they increase the price of one article they permit that of another to fall a little, although never quite to the former low level. . . .

If one company is not rich enough to get control of the supply of one or several commodities (preferably those most urgently needed), it associates itself with another company, and so gets the article under its control. They are successful in their attempts to fix prices because the goods can be obtained only from them. These practices are quite common through the entire Empire.

If poor and small merchants buy the goods at fixed prices from the companies in the hope of selling them elsewhere, they are exposed to cut-throat competition on the part of the larger companies which are able to undersell them and to offer favorable terms of credit. In this way the poor merchant loses his business and finally perishes; in some instances the large companies have repurchased through middlemen and at low prices the goods they had sold to small merchants. They are able to do this because they have representatives in virtually every city of Europe. Such are their methods of accumulating wealth.

The companies establish branches and do their business largely by correspondence. Today there is one large company where twenty independent merchants might exist. With twenty independent merchants travelling from place to place instead of one large company it would be possible to raise more tolls and more of the dues charged for accompanying guards (*Geleit*), and to build more roads. Consequently business conditions in general would improve. For, where there are many sellers prices are low and turn-over is great. . . .

As a result of the above unbearable practices of the large companies, riots of the common man have occurred in many towns, and if no steps are taken to improve the situation, other and more serious risings are to be expected.

As to the second question whether all trading companies ought to be abol-

ished, the Committee finds that big and financially powerful companies ought to be dissolved. However, it must be emphasized that the dissolution of all companies and the stoppage of all commercial transactions would have effects detrimental to the German nation, for it would enable Walloons, Frenchmen and merchants of other nations to engage in monopolistic practices, and thereby to drain and to impoverish the German states. . . .

If these facts are not taken into account it is to be feared that measures against monopolies will have the effect of driving trade out of the country instead of furthering the public interest. In view of the above reasons it must be clear that although it would be injurious to tolerate big and financially powerful companies it would be no less disadvantageous to stop all trade. Therefore, since either of the extreme courses of action would be objectionable, it follows that the correct solution must be a middle course.

As to the methods to be employed to mitigate the evils of monopolies, the Committee lists the following proposals:

- 1) The capital of trading companies is not to exceed fifty thousand gulden. No company is to maintain more than three branch establishments. Each company that desires to do business in the Empire has to file with the authorities under oath a financial statement and declaration of the names of its partners and associates.
- 2) The maximum capitalization of fifty thousand gulden is not to be increased either by the accumulation of undistributed profits or through borrowing; profits must be divided at least every two years and the authorities have to be informed of such distribution.
- 3) No capital borrowed from third persons with the provision of participating in the profits or losses shall be used in trade.
- 4) No company or individual merchant shall, under penalty of confiscation of all goods involved, enter into secret or open agreements with other companies or merchants with a view to monopolizing the supply or raising the prices of commodities.
- 5) No company or individual merchants shall have inventories in excess of fifty thousand gulden.
- 6) The provisions of these proposals apply to all merchants irrespective of nationality engaged in trade in the Empire.
- 7) No German merchant or company shall be allowed to travel to and do business in Portugal. This will force the Portuguese to ship their spices at their own risk and to compete for the German market, which in turn will contribute to lower prices. . . .
- 8) The penalty for violating the above prohibitions shall be confiscation of

the property of the company, one half to go to the Imperial and the other half to go to the local authorities within whose jurisdiction the violation takes place.

- 9) Local magistrates and authorities who tolerate the violation of these stipulations are subject to penalties of an amount equivalent to the value of the property of the guilty merchants and companies. . . .

*REPLY OF THE CITY OF AUGSBURG TO A QUESTIONNAIRE SENT TO THE TOWN COUNCIL
BY THE IMPERIAL ADVISORY COUNCIL
(REICHSREGIMENT), 1522*

THE FOLLOWING three questions have been submitted to us for advice:

1. Does the existence of large trading companies injure the common good and the interests of the Empire and should they, therefore, be abolished?
2. Should all companies be abolished or should they merely be put under public control?
3. What methods should be employed to accomplish the end desired?

As far as the first question is concerned we have this to say: Trade is unequivocally beneficial to the Empire. Commerce adds to the wealth of everybody. Wherever merchants are permitted to go about their business, peasants, artisans and princes benefit. In times of war, when roads are unsafe and trade is interrupted, it is the common man who complains and suffers most. During the Venetian war in 1508 the roads were closed, and therefore trade shifted from Venice to Portugal; as a result of which tolls and other revenues of the earldom of Tyrol declined considerably. . . .

Consider, in addition to the German states, other wealthy nations. Take for instance Venice, which is the greatest country in all Christendom, or shall we say in the whole world: it is rich in merchants. And indeed, the fact that the King of Portugal has taken away from them the spice trade has been for Venice as injurious as their recent war (with the Pope, etc.), which ended only in 1510. Such is the importance of merchants and commerce. Or consider Florence, which is a great and mighty city solely because of the activity of its merchants. . . .

Or consider the rich and mighty King of England, and above all the King of Portugal, and the Kingdom of Spain, which have more merchants than other nations. In all these instances, commerce is the source of riches. . . .

For these reasons it must be evident that trade is beneficial to kings and princes and that it is advantageous to everybody. Now if trade is good, it

follows that the more trade the better; the greater the turn-over the greater the advantages for prince, magistrate and the country as a whole. And it is no accident that in all of the above mentioned countries commercial transactions are promoted and in fact better protected than in the German states and everything is done to attract merchants.

Some people say that the large companies are able to carry on their business chiefly through agents, whereas the common merchants are forced to travel long distances, as a result of which they are at a disadvantage. This is, however, not true, for we have as yet not seen any agent who has carried a sack of spices on his back; all goods have to be shipped either by boat, on horseback, or in waggons, and are subject to tolls. . . .

To abolish the large companies would mean to do away with large transactions, which would affect not only princes and magistrates but everybody. It is also important to note that the big and wealthy merchants, by attracting artisans and masters, stimulate business in general. As regards the question of spices and pepper, which is the least important commodity for the German states, we wish to emphasize that 20 percent of the pepper bought in Lisbon is neither processed nor consumed in the German states. Why then should anybody wish to prohibit the purchase of pepper and its import and re-export through the German states by the rich merchants? The common merchants who do not possess the necessary capital are unable to engage in these large-scale transactions. Those who object to this trade and wish to prohibit the importation of pepper not only would rob the merchants of their profits and the princes and authorities of their tolls, but in the end the profits would be made by other nations. The pepper would not be shipped through the German states but would simply be imported and re-exported by other countries. And what is true of pepper applies to other spices as well.

As far as the second question is concerned, we have arrived at the conclusion that any control of the large companies by limiting the maximum value of their transactions would be harmful. As pointed out above, the more numerous and more wealthy the merchants, the larger the transactions. Consequently, it is to be feared that any limitation placed upon the value of transactions would result in a general decline of business; if a merchant is not free to act as he pleases he may prefer not to do any business at all. As a result business would shift to foreign nations. It is easy to visualize the harmful consequences of such a shift of business to other states.

Moreover what should the merchants and companies do with their surplus money if the authorities place limits on the maximum value of commercial transactions? If it is thus not practical to put any limitations on business transactions, it is also unfair not to permit the merchant to enjoy the products of

his capital, and to benefit from his good reputation and his ability, of which one possesses more than others. And it is possible and must be seriously considered that limitations on transactions are likely to drive the rich merchants from the German states.

Some people are opposed to the practice of putting money into the companies and accepting a dividend of 5 percent. However, to place limits on the earnings of investments would be absolutely unbearable, and would cause great injustice and harm by taking away the livelihood of widows, orphans and other sufferers, noble and non-noble, who derive their income from these sources. Of course, all these persons would very much prefer to obtain their income from landed property and rent; however, since almost all rents on real estate are appropriated by the Church, many merchants out of love and friendship permit their friends—men, women and minor children who cannot engage in business—to invest money in their business and to share in the capital and profit of the firm so that these people may be provided with a livelihood. It is thus evident to everyone that the practice of paying dividends is not against the public interest.

Small merchants complain that they cannot earn as much as the larger companies. This is, however, an old complaint. The common laborer has always complained about the fact that he cannot earn as much as the master. All this is true enough and yet the complaints are hardly justified. Consider the poor merchant who has perhaps four, six or eight hundred gulden and buys from the rich merchants sometimes four times as much as he is able to pay cash for. He borrows the difference, and once he has shown that he repays the loan as promised, his smaller capital is no longer a handicap for him. These small merchants travel to all fairs, for instance to Leipzig, Erfurt, Meissen, the Mark, Bohemia, Silesia, Austria, Hungary, sometimes even to Poland; and if they visit several fairs per year and return every time and pay their debts, they receive another loan. Thus, the rich companies help many small merchants by advancing them credit and loans and enabling them to become rich. How then can one say that the rich trample down the poor when they actually save them from their own incompetence and misfortunes?

As far as the trade in spices and certain recent purchases in Lisbon at exorbitant prices are concerned, we wish to point out that the great majority of large and small companies and merchants disapprove of such practices as opposed to the best interests of the German states. They are of the opinion that it is urgently necessary to find ways and means of abolishing such practices. For, if this is not done, prices of spices will be raised still further, which is clearly against the common interest. As a matter of fact, the King of Portugal is the only person who benefits from these purchases. The merchants who get only

a small proportion of the gain have to bear great risks in the shipment of the goods. And yet to make such purchases at high prices illegal only for German merchants, whose share in such practices is not very considerable, would be futile. The proper procedure would be to prohibit such transactions also for the merchants of Spain, the Netherlands, Genoa and other nations. These merchants, who are subjects of his Imperial Majesty, engage freely and, in fact, to a greater extent than the German merchants, in the above-mentioned purchases. If the German merchants alone are forbidden to buy spices in Portugal it is to be feared that the aforementioned nations, favored as they are by their considerable wealth and better location, will gain complete control of the trade in spices. The result would be that the German merchants would have to buy spices from foreign nations at still higher prices and on unfavorable terms.

Finally, it has to be considered that it is just as unwise to abolish the large trading companies as to create conditions which force the companies out of business. . . . German merchants who do business in Portugal make only very small profits; many firms of high repute have already abandoned the field, and every day others are following them. It is very desirable to eliminate or reduce the risks and uncertainties of trade which since the recent wars have become almost unbearable. There is great danger that trade will decline altogether if new limitations are placed upon merchants.

With regard to the third question, as to the methods to be employed to overcome the evil effects of large companies, we should be glad to indicate our position if we knew what these evils were. Since we do not know the evils, we cannot answer this question. We fear that those who wish to abolish the large companies without indicating why this should be done may be prejudiced or ignorant and may not have sufficiently familiarized themselves with the facts. In common language the alleged noxious aspects of large companies are referred to as "monopoly." This is a term which only scholars ought to use. In the sense in which the scholars understand the term it is doubtless correct that monopoly is illegal. What more could one want? All that is required is to invoke the old law and to place the evil and dishonest transactions of which the merchants are accused under similar penalties. Incidentally, not only rich but also poor merchants drive hard bargains, as these practices may be called. . . .

Common civil law as well as canon law permits honest trade and the establishment of companies, and does not place any limit upon their fixed and circulating capital. Similarly, it has always been legal for the silent partner who invests his capital but does not work in the company, to share in the profits.

MARTIN LUTHER

ECONOMIC CHANGES and maladjustments and particularly the monopolistic practices of the large trading companies played an important part in the religious upheaval of the sixteenth century. As a matter of fact, there is reason to believe that, as Zwingli, the Swiss reformer, states, the monopolies were one of the causes that led to the revolt against the Church. The rise in prices, the accumulation of enormous fortunes in the hands of a few, the spread of luxury, the growth of commercialism, the open violation of the laws against interest and usury, progressive elimination of the smaller merchants from the competitive struggle, the impoverishment of the nobility—all these were developments which in one way or another prepared the way for revolution and reform.

The man who was most insistent in giving expression to popular sentiments and the growing feeling of unrest was Martin Luther. (See Chapter VII below.) The following passages from his pamphlet entitled *On Trading and Usury* (1524) not only indicate that the action taken by the Diets of Cologne, Worms, and Nuremberg against "monopolies" had remained largely ineffective, but also reveal Luther's views on trade and his fundamental opposition to the growth of capitalism. The selections which follow are taken from the translation from the German by C. M. Jacobs in *Works of Martin Luther* (Philadelphia, A. J. Holman, 1931), Vol. IV.



ON TRADING AND USURY

. . . I HAVE WISHED to give a bit of warning and instruction to everyone about this great, nasty, widespread business of merchandising. If we were to accept the principle that everyone may sell his wares as dear as he can, and were to approve the custom of borrowing and forced lending and standing surety, and yet try to advise men how they could act the part of Christians and keep their consciences good and safe,—that would be the same as trying to teach men how wrong could be right and bad good, and how one could at the same time live and act according to the divine Scriptures and against the divine Scriptures. For these three errors,—that everyone may sell what is his own as dear as he will, borrowing, and becoming surety,—these, I say, are the three sources from which the stream of abomination, injustice, treachery and guile flows far and wide: to try to stem the flood and not stop up the springs, is trouble and labor lost.

At this point, therefore, I wish to tell of some of these tricks and evil doings which I have myself observed and which pious, good people have described to me, to make it apparent how necessary it is that the rules and principles which I have set down above be established and put in practice, if the consciences of merchants are to be counselled and aided; also in order that all the rest of their evil doings may be learned and measured by these; for how is it possible to tell them all? By the three aforementioned sources of evil, door and window are thrown wide to greed and to wicked, wily, self-seeking nature; room is made for them, occasion and power is given them to practice unhindered all sorts of wiles and trickery, and daily to think out more such schemes, so that everything stinks of avarice, nay, is drowned and drenched in avarice as in a great new Deluge.

First, there are some who have no conscientious scruples against selling their goods on credit for a higher price than if they were sold for cash: nay, there are some who wish to sell no goods for cash but everything on credit, so that they may make large profits. Observe that this way of dealing,—which is plainly against God's Word, against reason and all fairness, and springs from sheer wantonness and greed,—is a sin against one's neighbor, for it does not consider his loss, and robs and steals from him that which belongs to him; it is not a seeking for an honest living, but only for avaricious gain. According to divine law, goods should not be sold for a higher price on credit than for cash.

Again, there are some who sell their goods at a higher price than they command in the common market, or than is customary in the trade; and raise the price of their wares for no other reason than because they know that there is no more of that commodity in the country, or that the supply will shortly cease, and people must have it. That is a very rogue's eye of greed, which sees only one's neighbor's need, not to relieve it but to make the most of it and grow rich on one's neighbor's losses. All such people are manifest thieves, robbers and usurers.

Again, there are some who buy up the entire supply of certain goods or wares in a country or a city, so that they may have those goods solely in their own power and can then fix and raise the price and sell them as dear as they like or can. Now I have said above that the rule that a man may sell his goods as dear as he will or can is false and unchristian. It is far more abominable that one should buy up the whole commodity for that purpose. Even the imperial and temporal laws forbid this and call it "monopoly," i.e., purchase for self-interest, which is not to be tolerated in city or country, and princes and lords would stop it and punish it if they did their duty. Merchants who do this act just as though God's creatures and God's goods were made for them alone

and given to them alone, and as though they could take them from other people and set on them whatever price they chose.

If anyone wishes to urge the example of Joseph in Genesis xli, how the holy man gathered all the grain in the country and afterwards, in the time of famine, bought with it for the king of Egypt all the money, cattle, land and people,—which seems, indeed, to have been a monopoly, or practice of self-interest,—this is the answer: This purchase of Joseph's was no monopoly, but a common and honest purchase, such as was customary in the country. He prevented no one else from buying during the good years, but it was his God-given wisdom which enabled him to gather the king's grain in the seven years of plenty, while others were accumulating little or nothing. For the text does not say that he alone bought in the grain, but that he "gathered it in the king's cities." If the others did not do likewise, it was their loss, for the common man usually devours his living unconcernedly and sometimes, too, he has nothing to accumulate. We see the same thing today. . . .

When some see that they cannot establish their monopolies in any other way because other people have the same goods, they proceed to sell their goods so cheap that the others can make no profit, and thus they compel them either not to sell at all, or else to sell as cheap as they themselves are selling and so be ruined. Thus they get their monopoly after all. These people are not worthy to be called men or to live among other men, nay they are not worth exhorting or instructing; for their envy and greed is so open and shameless that even at the cost of their own losses they cause loss to others, so that they may have the whole place to themselves. The authorities would do right if they took from such people everything they had and drove them out of the country. . . .

Again, it is a fine piece of sharp practice when one man sells to another, by means of promises, goods which he himself has not, as follows. A merchant from a distance comes to me and asks if I have such and such goods for sale. I say, Yes, though I have not, and sell them to him for ten or eleven gulden when they could otherwise be bought for nine or less, promising him to deliver them in two or three days. Meanwhile I go and buy the goods where I knew in advance that I could buy them cheaper; I deliver them and he pays me for them. Thus I deal with his,—the other man's,—money and property, without risk, trouble or labor, and I get rich. That is called "living off the street," on someone else's money; he who does this need not travel over land and sea. . . .

Here is another bit of self-seeking. Three or four merchants have in their control one or two kinds of goods that others have not, or have not for sale. When these men see that the goods are valuable and are advancing in price all the time because of war or of some disaster, they join forces and pretend

to others that the goods are much in demand and that not many people have them on sale; if however there are some who have these goods for sale they put up a stranger to buy up all these goods, and when they have them entirely in their own control they make an agreement to this effect; Since there are no more of these goods to be had we will hold them at such and such a price, and whoever sells cheaper shall forfeit so and so much. This trick, I hear, is practiced chiefly and mostly by the English merchants in selling English or London cloth. It is said that they have a special council for this trade, like a city council, and all the Englishmen who sell English or London cloth must obey this council on penalty of a fine. The council decides at what price they are to sell their cloth and at what day and hour they are to have it on sale and when not. The head of this council is called the "court-master" and is regarded as little less than a prince. See what avarice can and dare do.

Again, I must report this little trick. I sell a man pepper or the like on six months' credit and know that he must sell it again by that time to get ready money. Then I go to him myself, or send someone else, and buy the pepper back for cash, but on these terms. What he bought from me for twelve gulden I buy back for eight, the market price is ten. So I make going and coming, so that he may get the money and maintain his credit; otherwise he might have the disgrace of having no one extend him credit in the future. . . .

Again there is another practice that is customary in the companies. A citizen deposits with a merchant one or two thousand gulden for six years. The merchant is to trade with this and pay the citizen annually two hundred gulden fixed interest, win or lose. What profit he makes above that is his own, but if he makes no profit he must still pay the charge. In this way the citizen is doing the merchant a great service, for the merchant expected with two thousand gulden to make at least three hundred; on the other hand, the merchant is doing the citizen a great service, for otherwise his money must lie idle and bring him no profit. That this common practice is wrong and is true usury I have shown sufficiently in the Discourse on Usury. . . .

Again, they have learned to store their goods in places where they increase in bulk. They put pepper, ginger and saffron in damp cellars or vaults so that they may gain in weight; woolen goods, silks, furs of martin and sable, they sell in dark vaults or booths, keeping them from the air, and this custom is so general that almost every kind of goods has its own kind of air, and there are no goods that some way is not known of taking advantage of the buyer, in the measure or the count or the yard or the weight. They know, too, how to give them a false color; or the best looking are put top and bottom and the worst in the middle. Of such cheating there is no end and no merchant dare trust another out of his sight and reach. . . .

Of the companies I ought to say much, but that whole subject is such a bottomless abyss of avarice and wrong that there is nothing in it that can be discussed with a clear conscience. For what man is so stupid as not to see that companies are nothing else than mere monopolies? Even the temporal law of the heathen forbids them as openly injurious, to say nothing of the divine law and Christian statutes. They have all commodities under their control and practice without concealment all the tricks that have been mentioned; they raise and lower prices as they please and oppress and ruin all the small merchants, as the pike the little fish in the water, just as though they were lords over God's creatures and free from all the laws of faith and love.

So it comes that all over the world spices must be bought at their price, which is alternating. This year they put up the price of ginger, next year of saffron, or vice versa, so that all the time the bend may be coming to the crook and they need suffer no losses and take no risks. If the ginger spoils or fails, they make it up on saffron and vice versa, so that they remain sure of their profit. All this is against the nature, not only of merchandise, but of all temporal goods, which God wills should be subject to risk and uncertainty. But they have found a way to make sure, certain, and perpetual profit out of insecure, unsafe, temporal goods, though all the world must be sucked dry and all the money sink and swim in their gullet. How could it ever be right and according to God's will that a man should in a short time grow so rich that he could buy out kings and emperors? But they have brought things to such a pass that the whole world must do business at a risk and at a loss, winning this year and losing next year, while they always win, making up their losses by increased profits, and so it is no wonder that they quickly seize upon the wealth of all the world, for a pfennig that is permanent and sure is better than a gulden that is temporary and uncertain. But these companies trade with permanent and sure gulden, and we with temporary and uncertain pfennigs. No wonder they become kings and we beggars!

Kings and princes ought to look into these things and forbid them by strict laws, but I hear that they have an interest in them, and the saying of Isaiah is fulfilled, "Thy princes have become companions of thieves." They hang thieves who have stolen a gulden or half a gulden and trade with those who rob the whole world and steal more than all the rest, so that the proverb may hold true: Big thieves hang the little ones, and as the Roman senator Cato said: Simple thieves lie in prisons and in stocks; public thieves walk abroad in gold and silk. But what will God say to this at last? He will do as He says by Ezekiel; princes and merchants, one thief with another, He will melt them together like lead and brass, as when a city burns, so that there shall be neither princes nor merchants any more. That time, I fear, is already at the door. We

do not think of amending our lives, no matter how great our sin and wrong may be, and He cannot leave wrong unpunished.

No one need ask, then, how he can belong to the companies with a good conscience. The only advice to give him is: Let them alone, they will not change. If the companies are to stay, right and honesty must perish; if right and honesty are to stay, the companies must perish. "The bed is too narrow," says Isaiah, "one must fall out; the cover is too small, it will not cover both."

I know full well that this book of mine will be taken ill, and perhaps they will throw it all to the winds and remain as they are; but it will not be my fault, for I have done my part to show how richly we have deserved it if God shall come with a rod. If I have instructed a single soul and rescued it from the jaws of avarice, my labor will not have been in vain, though I hope, as I have said above, that this thing has grown so high and so heavy that it can no longer carry its own weight and they will have to stop at last.

Finally, let everyone look to himself. Let no one stop as a favor or a service to me, nor let anyone begin or continue to spite me or to cause me pain. It is your affair, not mine. May God enlighten us and strengthen us to do His good will. Amen.

THE GERMAN PEASANT REVOLT

THE SPIRIT OF REVOLT produced by the economic changes and maladjustments of the early sixteenth century found expression not only in the Protestant Revolution but in various secular reform programs drawn up in the form of "Articles" or "Constitutions." Many of these programs were utopian and visionary in character; others expressed the grievances of special groups of the population and advanced definite demands and clear-cut suggestions for reform. To the latter belong *The Twelve Articles* (c. 1525). This famous document states the demands of the German peasantry during the Peasant Revolt. The grievances of the peasants were directed against the traditional forms of extortion and oppression from which they suffered at the hands of feudal lords and the Church. They were overburdened with dues in kind and money taxes, their common land could be seized, and Church officials claimed additional taxes in the form of tithes and other fees. The general character of the demands, the attack on the hierarchical idea, lucidly reflects the break-up of feudalism. Despite its religious phraseology, *The Twelve Articles*, whose author is unknown, is basically a secular document. "The constant appeal to the Bible does not at all destroy the essential secular character of *The Twelve Articles*, because the language of controversy of the day was religious" (Schapiro). The translation from the German by J. S. Schapiro is based upon that of Professor J. H. Robinson in the University of Pennsylvania *Translations and Reprints*, Vol. II, and has been taken from Schapiro's *Social Reform and the Reformation* (New York, Columbia University Press, 1909).



THE TWELVE ARTICLES

THE FUNDAMENTAL AND RIGHTEOUS ARTICLES of the Peasants and Subjects of the Lay and Ecclesiastical Lords by whom They Consider Themselves Oppressed.

Peace to the Christian reader and the grace of God through Christ:

There are many evil writings put forth of late which take occasion, on account of the assembling of the peasants, to cast scorn upon the gospel, saying, "Is this the fruit of the new teaching, that no one should obey but that all should everywhere rise in revolt, and rush together to reform, or perhaps destroy altogether, the authorities, both ecclesiastic and lay?" The articles below shall answer these godless and criminal fault-finders, and serve, in the first place, to remove the reproach from the Word of God and, in the second place,

to give a Christian excuse for the disobedience or even the revolt of the entire peasantry.

In the first place the gospel is not the cause of revolt and disorder, since it is the message of Christ, the promised Messiah; the word of life, teaching only love, peace, patience and concord. Thus all who believe in Christ should learn to be loving, peaceful, long-suffering and harmonious. This is the foundation of all the articles of the peasants (as will be seen), who accept the gospel and live according to it. How then can the evil reports declare the gospel to be a cause of revolt and disobedience? That the authors of the evil reports and the enemies of the gospel oppose themselves to these demands is due not to the gospel, but to the devil, the worst enemy of the gospel, who causes this opposition by raising doubts in the minds of his followers, and thus the Word of God, which teaches love, peace and concord, is overcome.

In the second place, it is clear that the peasants demand that this gospel be taught them as a guide in life, and they ought not to be called disobedient or disorderly. Whether or no, God grant the peasants, earnestly wishing to live according to His Word, their requests who shall find fault with the will of the Most High? Who shall meddle in His Judgments or oppose His Majesty? Did He not hear the Children of Israel when they called upon Him to save them out of the hands of Pharaoh? Can He not save His own to-day? Yea, He will save them and that speedily. Therefore, Christian reader, read the following article with care and then judge. Here follow the articles:

I. First, it is our humble petition and desire, as also our will and resolution, that in the future we shall have power and authority so that each community shall choose and appoint a pastor, and that we shall have the right to depose him should he conduct himself improperly. The pastor thus chosen should teach us the gospel pure and simple, without any additional doctrine or ordinance of man. For to teach us continually the true faith will lead us to pray God that through His grace this faith may increase within us and become part of us. For if His grace work not within us we remain flesh and blood, which availeth nothing; since the Scripture clearly teaches that only through faith can we come to God. Only through His mercy can we become holy. Hence such a guide and pastor is necessary and in this fashion grounded upon the Scriptures.

II. According as the just tithe is established by the Old Testament and fulfilled in the New, we are ready and willing to pay the fair tithe of grain. The word of God plainly provides that in giving rightly to God and distributing to His people the services of a pastor are required. We desire that for the future our church provost, whomsoever the community may appoint, shall gather and distribute this tithe. From this he shall give to the pastor, elected by the

whole community, a decent and sufficient maintenance for him and his, as shall seem right to the whole community. What remains over shall be given to the poor of the place, as the circumstances and the general opinion demand. Should anything farther remain, let it be kept, lest anyone should have to leave the country on account of poverty. In case one or more villages themselves have sold the tithe on account of want, and formal testimony to this effect is given by an entire village, the claims of those to collect this tithe shall not be considered valid; but we will, as behooves us, make an agreement with such claimants to the end that we may repay the same in due time and manner. But those who have tithes which they have not purchased from a village, but which were appropriated by their ancestors, should not, and ought not to be paid any farther by the village, which shall apply its tithes to the support of the pastors elected as above indicated, or to assist the poor as is taught by the Scriptures. The small tithes, whether ecclesiastical or lay, we will not pay at all, for the Lord God created cattle for the free use of man. We will not, therefore, pay farther an unseemly tithe which is of man's invention.

III. It has been the custom hitherto for men to hold us as their own property, which is pitiable enough, considering that Christ has delivered and redeemed us all, the lowly as well as the great, without exception, by the shedding of His precious blood. Accordingly it is consistent with Scripture that we should be free and should wish to be so. Not that we would wish to be absolutely free and under no authority. God does not teach us that we should lead a disorderly life in the lusts of the flesh, but that we should love the Lord our God and our neighbor. We would gladly observe all this as God has commanded us in the celebration of the communion. He has not commanded us not to obey the authorities, but rather that we should be humble, not only towards those in authority, but towards every one. We are thus ready to yield obedience according to God's law to our elected and regular authorities in all proper things becoming a Christian. We therefore take it for granted that you will release us from serfdom as true Christians, unless it should be shown us from the Gospel that we are serfs.

IV. In the fourth place, it has been the custom heretofore that no poor man should be allowed to touch venison or wild fowl, or fish in flowing water, which seems to us quite unseemly and unbrotherly as well as selfish and not agreeable to the Word of God. In some places the authorities preserve the game to our great annoyance and loss, recklessly permitting the unreasoning animals to destroy to no purpose our crops, which God suffers to grow for the use of man; and yet we must submit quietly. This is neither godly nor neighborly; for when God created man He gave him dominion over all the animals, over

the birds of the air and over the fish in the water. Accordingly it is our desire, if a man holds possession of waters, that he should prove from satisfactory documents that his right has been unwittingly acquired by purchase. We do not wish to take it from him by force, but his rights should be exercised in a Christian and brotherly fashion. But whosoever cannot produce such evidence should surrender his claim with good grace.

V. In the fifth place, we are aggrieved in the matter of wood-cutting, for the noble folk have appropriated all the woods to themselves alone. If a poor man requires wood, he must pay double price for it. It is our opinion in regard to a wood which has fallen into the hands of a lord, whether spiritual or temporal, that unless it was duly purchased it should revert again to the community. It should moreover, be free to every member of the community to help himself to such firewood as he needs in his home. Also, if a man requires wood for carpenter's purposes he should have it free, but with the knowledge of a person appointed by the community for that purpose. Should, however, no such forest be at the disposal of the community let that which has been duly bought be administered in a brotherly and Christian manner. If the forest, although unfairly appropriated in the first instance, was later duly sold, let the matter be adjusted in a friendly spirit and according to the Scriptures.

VI. Our sixth complaint is in regard to the excessive services which are demanded of us and which are increased from day to day. We ask that this matter be properly looked into so that we shall not continue to be oppressed in this way, but that some gracious consideration be given us, since our forefathers were required only to serve according to the Word of God.

VII. Seventh, we will not hereafter allow ourselves to be further oppressed by our lords, but will let them demand only what is just and proper according to the word of agreement between the lord and the peasant. The lord should no longer try to force more services or other dues from the peasant without payment, but should permit the peasant to enjoy his holding in peace and quiet. The peasant should, however, help the lord when it is necessary, and at proper times, when it will not be disadvantageous to the peasant, and for a suitable payment.

VIII. In the eighth place, we are greatly burdened by holdings which cannot support the rent exacted from them. The peasants suffer loss in this way and are ruined; and we ask that the lords may appoint persons of honor to inspect these holdings, and fix a rent in accordance with justice, so that the peasant shall not work for nothing, since the laborer is worthy of his hire.

IX. In the ninth place, we are burdened with a great evil in the constant making of new laws. We are not judged according to the offense, but some-

times with great ill-will and sometimes much too leniently. In our opinion, we should be judged according to the old written law, so that the case shall be decided according to its merits, and not with partiality.

X. In the tenth place, we are aggrieved by the appropriation by individuals of meadows and fields which at one time belonged to the community. These we will take again into our own hands. It may, however, happen that the land was rightfully purchased; when, however, the land has unfortunately been purchased in this way, some brotherly arrangement should be made according to the circumstances.

XI. In the eleventh place, we will entirely abolish the due called "heriot," and will no longer endure it, nor allow widows and orphans to be thus shamefully robbed against God's will, and in violation of justice and right, as has been done in many places, and by those who should shield and protect them. These lords have disgraced and despoiled us, and although they had little authority they assumed it. God will suffer this no more, and it shall be wholly done away with, and for the future no man shall be bound to give little or much.

XII. In the twelfth place, it is our conclusion and final resolution that if any one or more of the articles here set forth should not be in agreement with the Word of God, as we think they are, such article we will willingly retract if it is proved really to be against the Word of God by a clear explanation of the Scripture. Or if articles should now be conceded to us that are hereafter discovered to be unjust, from that hour they shall be void and null and without force. Likewise, if more complaints should be discovered which are based upon truth and the Scriptures and relate to offenses against God and our neighbor we are determined to reserve the right to present these also, and to exercise ourselves in all Christian teaching. For this we shall pray to God, since He can grant our demands, and He alone. The peace of Christ abide with us all.

THE NEW WORLD

OVERSEAS EXPANSION introduced Europeans to two distinct environments. They encountered, first, ancient and highly developed civilizations, such as those of India, China, and Japan, whose institutions were prepared for traffic with Europe. Though they might be drawn into European spheres of power, these lands did not, before the industrial age at least, receive a significant impress of European culture. Second, there were frontier lands such as the Americas and, later, South Africa and Australia. Upon them Europe was seemingly to project its own culture and institutions. Here developed civilizations might also be encountered, such as the Aztecan, Mayan, and Incan, which Father Bartolomé de Las Casas considered to have surpassed many Greek and Roman achievements. The insensitivity of such peoples to the needs and procedures of Europe's economy, however, made necessary their subjection and incorporation, a process which the Indians' techniques of war could not effectively oppose.

In retrospect it is clear that Europe did not recreate the frontier lands in its own image; many time-honored beliefs of the Old World had, in fact, to be redefined in the light of overseas experiences. Emigrants to the Americas—conquistador or bureaucrat, planter or miner, Jesuit or Puritan—found themselves scattered across vast continents whose geography, flora, fauna, and aborigines were wholly strange. Time and again wisdom rooted in European history failed to answer American conditions. Colonists were forced to adopt experimental solutions that recalled the multifarious accruals of regional usage in early medieval Europe. The history of the Americas abundantly exhibits the interplay between—and the attempts to reconcile—these fresh, overseas experiences and the often dogmatic formulations issuing from the European past. The German philosopher Hegel was vexed (c. 1830) that New-World history should exhibit so amorphous a quality rather than the shaped and unitary "spirit" of a European nation.

Among New-World colonizers the Spaniards were those most dedicated to transplanting full-blown metropolitan culture, and before long the grandeur of Mexico City and Lima outshone imperial Madrid. Spain was therefore the nation that most conscientiously endeavored to reconcile American mysteries with enshrined European canons of government. The larger dimensions of the Spanish enterprise, Spain's evangelical mission in the New World (by the Papal Bull of 1493), and, in the sixteenth century, Spain's self-appointed role as defender of the faith against Lutheranism all made it urgent formally to legitimize the conquest. So too did the fact that the Aztecs and Incas, unlike Indians of forest and plain, were not to be driven away, exterminated, or summarily assimilated. Their complex social organization, already adapted for intensive economic production, had to be rendered intelligible in European terms and then gingerly fitted, with reciprocal adjustments, into the Spanish imperium.

Initially Spanish jurists and theologians were at a loss in characterizing the Indian. Certainly he was not a Christian. Neither could he rightly be considered an infidel or a heretic, categories amply defined in such sources as *Las Siete Partidas*.

Was he an innocent child of nature with a human mind and soul, amenable to life in a Christian community? Or did his idols and human sacrifice show him to be inherently bestial and nonrational, a creature of Satan, an Aristotelian "natural slave"? The question whether savages were noble or ignoble was for centuries to fascinate, successively, Europe's theologians, humanists, political theorists, and anthropologists. Christendom possessed traditional attitudes toward Moslem and Jew by virtue of long coexistence; with them, except during wars or persecution, there were grounds for economic and intellectual commerce. The millions of New-World Indians, however, posed a problem in anthropology. The European had for the first time sympathetically to interpret, to "get inside," a foreign culture in order to make available its resources. Church missionaries were, paradoxically, the first "cultural relativists." Their plentiful accounts of Indian peoples, such as the *Apologetic History* of Las Casas, are rich in anthropological lore, and many waver curiously between the dogmatic zeal of proselyting and the pluralistic, freely inquiring temper of the Renaissance.

The question of the Indian's essential nature was allied to others. If he were a human being, competent to receive the faith, could force be employed in conversion, or merely suasion? If suasion alone, on what grounds did Spain exact forced labor of the Indians, or even claim title to the New-World realm? Did the Papal Bull of 1493, in fact, accord Spain political dominion in America or merely the right to proselyte? These were issues debated at Valladolid, Spain, in 1550-51 by Bartolomé de Las Casas—a Dominican friar, bishop of Chiapa (Guatemala), and official "Protector of the Indians"—and the learned humanist, Juan Ginés de Sepúlveda. Proceedings of the debate, which was convoked by Emperor Charles V to determine Spain's subsequent policy of conquest, are available only in a summary. The central points, however, appear in the selections which follow. Sepúlveda's *Democrates alter* (*The Second Democrates*, sequel to an earlier dialogue with "Democrates") was written in 1547 and immediately provoked the wrath of Las Casas. The latter had begun compiling his *Apologetic History of the Indies* in 1527; in 1550 this voluminous work, virtually completed, furnished his arguments for the polemic. The *Thirty Very Juridical Propositions*, published in 1552, are the most succinct statement of Las Casas's views regarding Spain's jurisdiction in the New World.

Sepúlveda (1490-1574), whose writings typified Renaissance elegance and erudition, studied in Bologna under the neo-Aristotelian, Pietro Pomponazzi. He was eminent as a theologian, jurist, philosopher, Hellenist, historian, and astronomer. Just before the debate he had published his translation of Aristotle's *Politics*, a source which both disputants freely interpreted. His arguments pronouncing the wars against the Indians to be just have, after four centuries of "just" invasions by nation-states, a familiar ring. Las Casas (1474-1566) studied at Salamanca and in 1502 sailed to the West Indies; here he was ordained a priest and like any Spaniard of distinction received an allotment of Indians for labor. In a sudden conversion (1514) he found use of such labor repugnant. The rest of his long and strenuous life he devoted to their cause, writing treatises and histories in their defense, undertaking pacific missionary and colonizing ventures, making repeated appeals in person before the king and his councilors. From his highly exaggerated *Very Brief Relation of the Destruction of the Indies* (1552) derives much of the

Spaniards' fame as brutal colonizers; the Spanish "New Laws" of 1542, however, promulgated largely at the behest of Las Casas himself, declared the Indian to be an unenslaveable freeman and are among the most humane codes of their kind. The prolix style, heterogeneous interests, and warm humanity of Las Casas recall the spirit of the medieval Church "Universal," while his tolerance and sympathy for diverse cultures lend him a modernity at least equal to that of Sepúlveda's nationalistic apology.

The judges of the Las Casas-Sepúlveda debate rendered no formal decision. Las Casas, however, retained official favor; his opponent's *Democrates alter* was denied publication and reached print only in 1892. (The *Apologetic History* was not printed until 1909, but others of Las Casas's works circulated freely during his life.) Unlike Negroes, whose enslavement even Las Casas for a short time condoned, the Indians remained free vassals of the crown for two and a half centuries. In practice New-World adjustments were made, in this as in all affairs, so that Indians were exploited in farm, mine, and workshop with a callousness no less usual than that displayed among Europeans themselves. But the Indians' tragedy came to fullness only under the nineteenth-century republics when, by sanction of the "rights of man" and a democratic theory of free property contracts, they were induced to part with their last remnants of dignity and land.

As might be expected, the humanitarianism of the Spanish crown was disingenuous. To enforce beneficent labor codes was to restrict the free action of privileged Spaniards in the New World, making the crown a final arbiter; and free Indians, unlike slaves, paid tribute to the royal treasury. It is difficult, however, to explain away as "window dressing" the influence on Spanish policy of Las Casas and of Francisco de Vitoria (1486-1546), the precursor of international jurisprudence whose conclusions came to mediate the extremist views of Las Casas and Sepúlveda regarding Spain's territorial claims. To assert that humane Christian ideals were no part of Spain's colonizing motives would be to assert that in modern wars human greed is never tempered by democratic generosity. Such assessments of the motives of nations frequently neglect the manifold interests and complex, not easily fathomable human beings of which nations are composed.

The selection from Sepúlveda has been translated from the original Latin and the Spanish translation that are given in the *Boletín de la Real Academia de la Historia*, Vol. XXI (October 1892). The Las Casas selections have been translated from the Spanish of the *Apologetica historia de las Indias* (Madrid, 1909) and the *Treinta proposiciones muy jurídicas* (given in *Fray Bartolomé de las Casas: Doctrina*, ed. by Agustín Yáñez; Mexico City, 1941, pp. 33-51).



*JUAN GINÉS DE SEPÚLVEDA: DEMOCRATES
ALTER; OR, ON THE JUST CAUSES FOR
WAR AGAINST THE INDIANS*

*To His Excellency Don Luis de Mendoza, Count of Tendilla and Marquis
of Mondejar*

Whether the war by means of which the rulers of Spain and our countrymen have brought and are attempting to bring under their domination the barbarian inhabitants, commonly known as Indians, of the lands to the west and south is just or unjust and upon what legal right the domination of these peoples is based is, as you know, noble Marquis, a most important question. . . . And since I have said several things pertaining to this question in another dialogue, entitled *Democrates I*, . . . I thought it convenient to have the same characters carry on a discussion in my orchard on the banks of the Pisuerga, so that by repeating such opinions as are necessary they might cap the controversy which we have begun concerning the rights of waging war. One of these disputants, the German Leopold, somewhat contaminated by Lutheran errors, begins to speak in this manner:

L. I shall tell you a thousand and one times, *Democrates*, that there is no argument strong enough to convince me that war is lawful, much less among Christians. You surely remember that we have already argued this point for three long days in Rome, at the Vatican. . . .

D. Then, what new questions relating to this matter of the right to wage war do you wish to ask me?

L. Very few, but certainly not without merit. A few days ago, while I was strolling with some other friends in the palace of Prince Philip, Hernán Cortés, the Marquis del Valle, happened to pass, and upon seeing him, we began to speak at length about the deeds which he and others of the Emperor's captains had accomplished in those lands to the west which were completely unknown to the ancient inhabitants of our world. These events surprised me mightily because of their grandeur and novelty and for being so unexpected; but thinking about them further, I was seized by a doubt, to wit, whether it was congruous with justice and Christian charity that the Spaniards should have made war on those innocent mortals who had caused them no harm. I wish to know, therefore, what you think about this and other similar wars which are waged without any reason or aim except for mere whim and greed. And I also want you to explain succinctly, with the clarity peculiar to your

outstanding mind and subtle understanding, all the possible causes for a just war, and then to resolve the question in a few words.

D. . . . In the first place, one must keep in mind a principle which is the basis of this and many other questions: everything which is done in the name of natural rights or laws can also be done by virtue of divine rights or evangelical laws. When Christ tells us in the Gospels not to resist the evil-doer and, if someone strikes us upon one cheek, to turn the other . . . , we should not believe that he was attempting to do away with the laws of nature which permit one to resist force with force within the limits of a just defense. . . . Those words from the Bible are not laws in the obligatory sense of the word, but rather advice and exhortation which do not belong so much to everyday life as to apostolic perfection. . . .

I wish to make it clear that one should search not only in Christians and in the writings of the New Testament, but also in those philosophers whom we judge to have dealt most wisely with nature and the customs and governments of all societies, especially in the writings of Aristotle, whose precepts, except for a few opinions referring to matters beyond the capacity of human understanding, and which man can understand only through divine revelation, have been received by posterity with such unanimous approval that they no longer seem to be the words of a single philosopher, but the decisions and opinions held in common by all wise men.

L. Let us return, then, to the business at hand. Now show me the reasons, if there are any, by which you believe that war can be undertaken and waged in a just and pious manner.

D. A just war requires not only just causes for its undertaking, but also legitimate authority and upright spirit in whoever declares it and a proper manner in its conduct. . . .

L. . . . But what happens if a ruler, moved not by avarice or thirst for power, but by the narrowness of the borders of his state or by its poverty, should wage war upon his neighbors in order to seize their fields as an almost necessary prize?

D. That would not be war but theft. For a war to be just, the causes must be just. . . . Among the causes of a just war the most important, as well as the most natural, is that of repelling force with force when it is not possible to proceed in any other fashion. . . . The second cause of a just war is the recovery of things seized unjustly. . . . It is licit to recover not only one's own things which have been unjustly stolen, but also those of friends, and to defend them and keep them free from harm as much as if they were one's own. The third cause of a just war is to punish evil-doers who have not been punished in their own cities, or have been punished with negligence, so that . . . they

will take heed and not commit their crimes a second time, and others will be frightened by their example. It would be easy to enumerate here the many wars waged by the Greeks and Romans for this reason, with much approval from the people, whose consensus must be considered to be a law of nature. . . .

There are other causes of just wars less clear and less frequent, but not therefore less just or based any less on natural and divine law, and one of them is the conquest by arms, if no other way is possible, of those who by natural condition must obey others and refuse to do so. The greatest philosophers state that this type of war is just according to the laws of nature. . . .

L. And who is born under such an unlucky star that nature condemned him to servitude? What difference do you find between having nature force one under the rule of another and being a slave by nature? Do you think that judges, who also pay much attention to natural law in many cases, are joking when they point out that all men since the beginning were born free, and that slavery was introduced contrary to nature and as a law of mere humans?

D. I believe that the jurist speaks with seriousness and great prudence, but this word slavery means quite a different thing for the jurist than for the philosopher. For the former slavery is an accidental thing, born of superior strength and from the laws of peoples, sometimes from civil laws, while philosophers see slavery as inferior intelligence along with inhuman and barbarous customs. . . .

Those who surpass the rest in prudence and talent, although not in physical strength, are by nature the masters. Those, on the other hand, who are retarded or slow to understand, although they may have the physical strength necessary for the fulfilment of all their necessary obligations, are by nature slaves, and it is proper and useful that they be so, for we even see it sanctioned in divine law itself, because it is written in the Book of Proverbs that he who is a fool shall serve the wise. . . . If they reject such rule, then it can be imposed upon them by means of arms, and such a war will be just according to the laws of nature. Aristotle said, "It seems that war arises in a certain sense from nature, since a part of it is the art of the hunt, which is properly used not only against animals, but also against those men who, having been born to obey, reject servitude: such a war is just according to nature. . . ."

L. If, by the laws of nature, the reign is to be reserved for the more prudent and virtuous men, suppose that the kingdom of Tunis (I wish to seek examples of misfortune among the infidels and not among our own peoples) were to fall, by virtue of patrimony and by rights of age, into the hands of a prince less prudent and virtuous than his younger brothers. Do you not think,

according to your doctrine, that the kingdom should be given to the best of all of them and not to the least worthy?

D. If we seek the truth, Leopold, and heed only what is sought by reason and natural order, we shall have to say that sovereignty should always be in the hands of the wisest and most prudent, because the only true realm is one that is always governed by very prudent men and those who look after the welfare of the people. . . . But the happiness of man is not such that things which are in essence the best can always be accomplished without great inconveniences. According to physicians, it is of prime importance that the good humors dominate in the human body so that it will be maintained in its natural, healthy state, and when the contrary occurs, and the bad and corrupt humors dominate, they do not overlook any available means to remedy this disorder by purging the bad humors; but if there is the danger that in so doing there will be produced in the entire body a greater upheaval, doctors prudently abstain from undertaking so dangerous a cure, not because they are unaware that such a perversion of the humors is evil and contrary to nature, but because they prefer that the man live, even though in bad health, and not perish entirely. . . .

L. According to your opinion, Democrates, in order for a war to be considered just, a worthy aim and upright conduct are required, but this war against the barbarians, as I understand it, is not even undertaken with good intentions, since those who have started it have no other aim than that of acquiring, by right or wrong, the largest possible amount of gold and silver. . . . And since the Spanish do not wage this war justly or rationally, but with great cruelty and injury to the barbarians, and in the manner of a theft, there is no doubt that the Spanish are obliged to restore to the barbarians the things which they have seized, no less than must highwaymen what they have robbed from travelers.

D. One who condones the rule of a prince or nation over his or its citizens and subjects, Leopold, must not therefore have it thought that he approves of the sins of all their prefects and ministers. . . . And indeed it is not certain that everyone has waged war in this fashion if various reports which I have recently read concerning the conquest of New Spain [Mexico] are true. . . .

You can well understand, Leopold, if you know the customs and manners of different peoples, that the Spanish have a perfect right to rule these barbarians of the New World and the adjacent islands, who in prudence, skill, virtues, and humanity are as inferior to the Spanish as children to adults, or women to men, for there exists between the two as great a difference as between savage and cruel races and the most merciful, between the most in-

temperate and the moderate and temperate and, I might even say, between apes and men.

You surely do not expect me to recall at length the prudence and talents of the Spanish, since, as I believe, you have read Lucan, Silius Italicus, the two Senecas; and after these St. Isidore, inferior to no one in the field of theology, as in philosophy Averroes and Avempace excelled, and King Alfonso in astronomy, omitting many others who would be too many to enumerate. And who can ignore the other virtues of our people: strength, humanity, justice, and religion? . . . And what can I say of temperance, in greed as well as in lust, when there is hardly a nation in Europe which can be compared to Spain as concerns frugality and sobriety? And if it is true that in recent times I see that through commercial dealings with foreigners extravagance has invaded the tables of the mighty, nevertheless, just as good men reprove this, one must hope that in a short time there will be reestablished the pure and innate parsimony of our native customs. And as for that pertaining to the second part of temperance, even though the philosophers say that warlike men are quite taken with the pleasures of Venus, nonetheless, our soldiers, even in their personal vices and sins, are not accustomed to act contrary to the laws of nature. . . . And what can I say of the gentleness and humanity of our people, who, even in battle, after having gained the victory, put forth their greatest effort and care to save the greatest possible number of the conquered and to protect them from the cruelty of their allies?

Compare, then, these gifts of prudence, talent, magnanimity, temperance, humanity, and religion with those possessed by these half-men (*homunculi*), in whom you will barely find the vestiges of humanity, who not only do not possess any learning at all, but are not even literate or in possession of any monument to their history except for some obscure and vague reminiscences of several things put down in various paintings; nor do they have written laws, but barbarian institutions and customs. Well, then, if we are dealing with virtue, what temperance or mercy can you expect from men who are committed to all types of intemperance and base frivolity, and eat human flesh? And do not believe that before the arrival of the Christians they lived in that pacific kingdom of Saturn which the poets have invented; for, on the contrary, they waged continual and ferocious war upon one another with such fierceness that they did not consider a victory at all worthwhile unless they sated their monstrous hunger with the flesh of their enemies. This bestiality is among them even more prodigious for their great distance from the land of the Scythians, who also fed upon human bodies, and since furthermore these Indians were otherwise so cowardly and timid that they could barely endure the presence of our soldiers, and many times thousands upon thousands of

them scattered in flight like women before Spaniards so few that they did not even number one hundred. . . . Although some of them show a certain ingenuity for various works of artisanship, this is no proof of human cleverness, for we can observe animals, birds, and spiders making certain structures which no human accomplishment can competently imitate. And as for the way of life of the inhabitants of New Spain and the province of Mexico, I have already said that these people are considered the most civilized of all, and they themselves take pride in their public institutions, because they have cities erected in a rational manner and kings who are not hereditary but elected by popular vote, and among themselves they carry on commercial activities in the manner of civilized peoples. But see how they deceive themselves, and how much I dissent from such an opinion, seeing, on the contrary, in these very institutions a proof of the crudity, the barbarity, and the natural slavery of these people; for having houses and some rational way of life and some sort of commerce is a thing which the necessities of nature itself induce, and only serves to prove that they are not bears or monkeys and are not totally lacking in reason. But on the other hand, they have established their nation in such a way that no one possesses anything individually, neither a house nor a field, which he can leave to his heirs in his will, for everything belongs to their masters whom, with improper nomenclature, they call kings, and by whose whims they live, more than by their own, ready to do the bidding and desire of these rulers and possessing no liberty. And the fulfilment of all this, not under the pressure of arms but in a voluntary and spontaneous way, is a definite sign of the servile and base soul of these barbarians. They have distributed the land in such a way that they themselves cultivate the royal and public holdings, one part belonging to the king, another to public feasts and sacrifices, with only a third reserved for their own advantage, and all this is done in such a way that they live as employees of the king, paying, thanks to him, exceedingly high taxes. . . . And if this type of servile and barbarous nation had not been to their liking and nature, it would have been easy for them, as it was not a hereditary monarchy, to take advantage of the death of a king in order to obtain a freer state and one more favorable to their interests; by not doing so, they have stated quite clearly that they have been born to slavery and not to civic and liberal life. Therefore, if you wish to reduce them, I do not say to our domination, but to a servitude a little less harsh, it will not be difficult for them to change their masters, and instead of the ones they had, who were barbarous and impious and inhuman, to accept the Christians, cultivators of human virtues and the true faith. . . .

When pagans are nothing more than pagans, and cannot be accused of anything more than not being Christians, which is what we call disbelief, there

is no just reason to punish them or attack them with arms. Therefore, if there were to be found in the New World some enlightened people, civilized and humane, who worshiped not idols but the true God according to the law of nature, . . . even though they were not familiar with the Gospels or in possession of the Christian faith, it would seem that a war against this people would be illicit. . . .

L. I do not fully understand, Democrates, what you mean in this case by natural law, unless you say that it is observed by those who abstain from mortal sin and other like infamies, no matter how many other grave crimes they may commit. Even in this form you will find very few people who observe natural law. . . .

D. Do not worry uselessly, Leopold. The gravest sins are doubtless those committed against the law of nature, but be careful of drawing from this rash conclusions about nations in general; if in any of them there are some who sin against natural laws, this is no reason for saying that this nation does not observe natural law, because the public cause is to be considered not individually in each man but in public customs and institutions. . . .

L. Do you think, consequently, that pagans can be compelled to receive the faith in spite of the fact that St. Augustine denies this . . . ?

D. If I were so to believe there would be high authorities who would support my views, and I would still maintain that this was a great work of charity, for what greater benefit can one give a man than to communicate to him the faith of Christ? But since the will, as I have pointed out before, without which there is no room for faith, cannot be forced, it does not please St. Augustine and other great theologians to see undertaken this work, so great but sometimes so pernicious, of demanding the baptism of those who refuse it, or of their children, who, for the most part, are accustomed to follow the will of their fathers. I do not say, then, that they should be baptized by force, but that as far as it rests with us they be brought back from the edge of the precipice and be shown the way of truth by means of pious teachings and evangelical preachings, and as this does not seem possible to accomplish by any other way than first subjecting them to our rule, especially in times such as these, when preachers of the faith and miracles are so rare, I believe that the barbarians can be conquered within the same right which makes them compelled to hear the words of the Gospels. . . . These apostles are, then, the successors of the other apostles, that is, bishops and priests of the Church and preachers in all that pertains to the duties of preaching, and how can they preach to these barbarians if they are not sent to them, as St. Paul says, and how are they to be sent if these barbarians are not conquered first?

*BARTOLOMÉ DE LAS CASAS: APOLOGETIC
HISTORY OF THE INDIES*

*Apologetic and Summary History Treating the Qualities, Disposition,
Description, Skies and Soil of These Lands; and the Natural Condi-
tions, Governance, Nations, Ways of Life and Customs of the Peoples
of These Western and Southern Indies, Whose Sovereign Realm
Belongs to the Monarchs of Castile*

ARGUMENT OF THE WORK

The ultimate cause for writing this work was to gain knowledge of all the many nations of this vast new world. They had been defamed by persons who feared neither God nor the charge, so grievous before divine judgment, of defaming even a single man and causing him to lose his esteem and honor. From such slander can come great harm and terrible calamity, particularly when large numbers of men are concerned and, even more so, a whole new world. It has been written that these peoples of the Indies, lacking human governance and ordered nations, did not have the power of reason to govern themselves—which was inferred only from their having been found to be gentle, patient and humble. It has been implied that God became careless in creating so immense a number of rational souls and let human nature, which He so largely determined and provided for, go astray in the almost infinitesimal part of the human lineage which they comprise. From this it follows that they have all proven themselves unsocial and therefore monstrous, contrary to the natural bent of all peoples of the world; and that He did not allow any other species of corruptible creature to err in this way, excepting a strange and occasional case. In order to demonstrate the truth, which is the opposite, this book brings together and compiles [certain natural, special and accidental causes which are specified below in Chapter cclxiii]. . . . Not only have [the Indians] shown themselves to be very wise peoples and possessed of lively and marked understanding, prudently governing and providing for their nations (as much as they can be nations, without faith in or knowledge of the true God) and making them prosper in justice; but they have equalled many diverse nations of the world, past and present, that have been praised for their governance, politics and customs, and exceed by no small measure the wisest of all these, such as the Greeks and Romans, in adherence to the rules of natural reason. This advantage and superiority, along with everything said above, will appear quite clearly when, if it please God, the peoples are compared one with an-

other. This history has been written with the aforesaid aim in mind by Fray Bartolomé de Las Casas, or Casaus, a monk of the Dominican Order and sometime bishop of Chiapa, who promises before the divine word that everything said and referred to is the truth, and that nothing of an untruthful nature appears to the best of his knowledge.

CHAPTER CXXVII. THE INDIANS POSSESSED MORE ENLIGHTENMENT

AND NATURAL KNOWLEDGE OF GOD THAN THE GREEKS AND ROMANS

. . . These Indian peoples surpassed the Greeks and Romans in selecting for their gods, not sinful and criminal men noted for their great baseness, but virtuous ones—to the extent that virtue exists among people who lack the knowledge of the true God that is gained by faith. . . . The following argument can be formed for the proof of the above: The Indian nations seem to show themselves to be or to have been of better rational judgment and more prudent and upright in what they considered God to be. For nations which have reached the knowledge that there is a God hold in common the natural concept that God is the best of all things that can be imagined. Therefore the nation which has elected virtuous men as God or gods, though it might have erred in not selecting the true God, has a better concept and estimation of God and more natural purity than one which has selected and accepted for God or gods men known to be sinful and criminal. The latter was the case of the Greek and Roman states, while the former is that of all these Indian nations. . . . It seems probable that none of these Indian peoples will be more difficult of conversion than the ancient idolaters. First, because, as we have proved and are still proving, all these peoples are of good reason. Second, because they show less duplicity and more simplicity of heart than others. Third, because they are in their natural persons better adjusted, as has been proved above—a quality characteristic of men who may more easily be persuaded of the truth. Fourth, because an infinite number in their midst have already been converted (although some with certain difficulty, namely, those who worshiped many gods; for it is not possible except by a great miracle for a religion so aged, mellowed and time-honored to be abandoned suddenly, in a short time or with ease—as proven by all of the world's past and ancient idolaters). . . .

CHAPTER CCLXII. FROM ALL THAT HAS BEEN SAID IT IS INFERRED

THAT THE INDIAN NATIONS EQUALLED AND EVEN SURPASSED ALL THE ANCIENT ONES IN GOOD LAWS AND CUSTOMS

. . . Let us compare [the ancients] with the people of the realms of Peru as concerns women, marriage and chastity. The [Peruvian] kings honored and favored marriages with their presence and performed them themselves or

through their proconsuls and delegates. They themselves exhorted the newly-weds to live happily, and in this these people were superior to all nations. They were certainly superior to the Assyrians and Babylonians, . . . even to our own Spaniards of Cantabria, . . . more especially to the renowned isle of England . . . and to many others. . . . To whom were they not superior in the election and succession of kings and those who were to govern the country? They always chose the wisest, most virtuous and most worthy of ruling, those who had subordinated all natural and sensual affection and were free and clean of repugnant ambition and all private interest.

They were likewise more than moderate in exacting tribute of vassals and, so that the people should not be molested, in levying the costs of war. Their industries existed so that nations might communicate among each other and all live in peace. They had a frequent and meticulous census of all deaths and births and of the exact number of people in all estates of the realms. All persons had professions, and each one busied himself and worked to gain his necessary livelihood. They possessed abundant deposits of provisions which met all the necessities of their warriors, reduced the burden and trouble for the subjects and were distributed in the lean years. . . . Who of the peoples and kings of the world ever kept the men of their armies under such discipline that they would not dare to touch even a single fruit hanging over the road from a tree behind a wall? Not the Greeks, nor Alexander, nor the Romans, nor even our own Christian monarchs. Has anyone read of soldiers who, no matter where they were marching when not in battle, were as well commanded, trained, sober and orderly as good friars in a procession? They established order and laws for the obedience which vassals must show toward their immediate lords and for reverence between each other, the humble to the humble and the mighty to the mighty. The rearing of children, in which parents inculcate the obedience and faithfulness owed to superiors—where is it surpassed? . . . Has anyone read of any prince in the world among the ancient unbelievers of the past or subsequently among Christians, excepting St. Louis of France, who so attentively assisted and provided for the poor among his vassals—those not only of his own village or city but of all his large and extensive realms? They issued public edicts and personal commands to all nobles and provincial governors, of whom there were many, that all poor, widows and orphans in each province should be provided for from their own royal rents and riches, and that alms should be given according to the need, poverty and desert of each person. Where and among what people or nation was there a prince endowed with such piety and beneficence that he never dined unless three or four poor people ate from his plate and at his table? . . . Then, there is that miracle—such it may be called for being the most remarkable, singular and skilful con-

struction of its kind, I believe, in the world—of the two highways . . . : across the mountains and along the coast. The finer and more admirable of these extends for at least six and perhaps eight hundred leagues and is said to reach the provinces of Chile. . . . In Spain and Italy I have seen portions of the highway said to have been built by the Romans from Spain to Italy, but it is quite crude in comparison with the one built by these peoples. . . .

CHAPTER CCLXIII. THE INDIANS ARE AS CAPABLE AS ANY OTHER NATIONS TO RECEIVE THE GOSPEL

Thus it remains stated, demonstrated and openly concluded . . . throughout this book that all these peoples of the Indies possessed—as far as is possible through natural and human means and without the light of faith—nations, towns, villages and cities, most fully and abundantly provided for. With a few exceptions in varying degrees they lacked nothing, and some were endowed in full perfection for political and social life and for attaining and enjoying that civic happiness which in this world any good, rational, well provided and happy republic wishes to have and enjoy; for all are by nature of very subtle, lively, clear and most capable understanding. This they received (after the will of God, Who wished to create them in this way) from the favorable influence of the heavens, the gentle attributes of the regions which God gave them to inhabit, the clement and soft weather; from the composition of their limbs and internal and external sensory organs; from the quality and sobriety of their diet; from the fine disposition and healthfulness of the lands, towns and local winds; from their temperance and moderation in food and drink; from the tranquility, calmness and quiescence of their sensual desires; from their lack of concern and worry over the worldly matters that stir the passions of the soul, these being joy, love, wrath, grief and the rest; and also, *a posteriori*, from the works they accomplished and the effects of these. From all these causes, universal and superior, particular and inferior, natural and accidental, it followed, first by nature and then by their industry and experience, that they were endowed with the three types of prudence: the monastic, by which man knows how to rule himself; the economic, which teaches him to rule his house; and the political, which sets forth and ordains the rule of his cities. As for the divisions of this last type (which presupposes the first two types of prudence to be perfect) into workers, artisans, warriors, rich men, religion (temples, priests and sacrifices), judges and magistrates, governors, customs and into everything which concerns acts of understanding and will, . . . they were equal to many nations of the world outstanding and famous for being politic and reasonable. . . . We have, then, but slight occasion to be surprised at defects and uncouth and immoderate customs which

we might find among our Indian peoples and to disparage them for these; for many and perhaps all other peoples of the world have been much more perverse, irrational and corrupted by depravity, and in their governments and in many virtues and moral qualities much less temperate and orderly. Our own forbears were much worse, as revealed in irrationality and confused government and in vices and brutish customs throughout the length and breadth of this our Spain, which has been shown in many places above. Let us, then, finish this book and give immense thanks to God for having given us enough life, strength and help to see it finished.

CHAPTER CCLXIV. THE MEANING OF THE WORD "BARBARIAN" AND THE SEVERAL CLASSES OF BARBARIAN PEOPLES

In certain places above we have referred to this term or word "barbarian," which many call and consider these Indian peoples and other nations to be. Sometimes in the Holy Scriptures and frequently in holy decrees and lay histories barbarians are named and referred to, especially since the Philosopher [Aristotle] makes particular mention in his *Politics* of barbarians. Many times I find the term wrongly used, owing to error or to confusion between some barbarians and others. In order therefore to avoid this error and confusion I wish to explain here what it is to be a barbarian and what nations can properly be called barbarian. For such a clarification one must make the following fourfold distinction. A nation or people or part thereof can be called barbarian for four reasons: first, considering the term broadly and improperly, for any strangeness, ferocity, disorder, exorbitance, degeneration of reason, of justice and of good customs and human benignity; or also for evincing opinion which is confused or flighty, furious, tumultuous or beyond reason. Thus, there are men who have deserted and forgotten the rules and order of reason and the gentleness and peacefulness which man should naturally possess; blind with passion, they change in some way, or are ferocious, harsh, severe, cruel, and are precipitated into acts so inhuman that fierce and wild beasts of the mountains would not commit them. They seem to have been divested of the very nature of man, and the word "barbarian" thus signifies a strangeness and exorbitance or novelty which is in discord with the nature and common reason of men. . . .

The second manner or species of barbarian is somewhat more limited; it includes those who lack a written language corresponding to their spoken one as the Latin language corresponds to our own. In short, people who lack the practice and study of letters are said to be barbarians *secundum quid*,¹ which

¹ [*Secundum quid* means *in some respect*. This is in contrast to *simpliciter*, or *absolutely*, which is used later on.]

means that they fall short by some measure or quality of not being barbarian, because in all else they can be wise, polished and lacking in ferocity, strangeness and harshness. Because the English lacked the practice of letters, the Venerable Bede, who was an Englishman, translated the liberal arts into the English language so that his people would not be considered barbarians. . . . In like manner, it is customary to call barbarian a man whose manner of speech is strange compared to another's, when one does not pronounce well the language of the other or when in conversation people do not manage to deal and converse with one another. According to Strabo, Book xiv, the first occasion the Greeks took to call other peoples barbarian was when the latter mispronounced the Greek language crudely and defectively. Hence there is no man or nation which is not considered barbarian by some other. . . . Just as we consider these peoples of the Indies barbarians, so they, since they do not understand us, also consider us barbarians and strangers. From this has arisen a great error in many of us, laymen, ecclesiastics and monks, concerning these Indian nations of diverse languages, which we neither understand nor penetrate, and of different customs. People of every profession and quality came to these lands from our nation after these people had lost their republics and their order of life and government, for we had put them in such great disorder and so reduced their numbers that they became almost completely annihilated. These arrivals find them in this state and think that the confusion and abasement in which they now live was always so and comes from their barbaric nature and disorderly government, while in truth we can affirm that in many ways they have seen in us no few customs which, with justifiable reason, might cause us to be taken for extreme barbarians by them—not so much barbarians of this second type, which means strangers, but of the first, for our being exceedingly ferocious, harsh, severe and abominable. . . .

CHAPTER CCLXV. OTHER MEANINGS WHICH THE NAME "BARBARIAN"

MAY HAVE

The third species and manner of barbarians, interpreting the term or word most strictly and properly, comprises those who by their strange, harsh and evil customs, or by their evil and perverse inclination, turn out cruel and ferocious and, unlike other men, are not governed by reason. They are, on the contrary, stupid and foppish, and do not possess or administer law, justice or communities. Nor do they cultivate friendship or conversation with other men, for which they have no villages, townships or cities since they do not live in a society. Thus they do not possess or tolerate masters, laws, ordinances or a political regime. Nor do they maintain the communication necessary to mankind, such as buying, selling, trading, renting, directing and having gatherings

among neighbors. They do not use deposits, loans and other contracts which are a part of the law of peoples, treated by the laws of the Digest and Institute and by the doctors. For the most part they live scattered through the wilderness, fleeing human contact, contenting themselves with only the company of their women, in the fashion of such animals as monkeys, wildcats and other nongregarious beasts. Such as these are, and are called, *simpliciter*, strictly and properly, barbarians. The inhabitants of the province called Barbary must have been like this, bereft of everything essential to the state of man, such as human reason and all those common and natural things which most men follow and use. Particular mention is made of them in the *Politics*, Book 1, Chaps. 11 and v, where it says that they are slaves by nature and worthy of always serving and being the subjects of others, because among them there is no natural dynasty, for they have no ordered government, nobility or subjects. . . . In this regard Aristotle says: "One who is not a citizen of any State, if the cause of his isolation be natural and not accidental, is either a superhuman being or low in the scale of civilization. The clanless, lawless, hearthless man so bitterly described by Homer is a case in point; for he is naturally a citizen of no state and a lover of war."

Such inclinations arise from many causes. Sometimes it is from the region in which they live and a type of sky which is unfavorable to them and intemperate; men who are born and live under these conditions are short of intelligence and show perverse inclinations toward the aforementioned evils. . . . The Philosopher adds in Chap. v that wise men can hunt or track them like animals in order to bring them under control and make use of them, causing the one who rules them to use his good judgment in attending to their welfare and keeping them from doing harm to others. In this way they can serve and profit their wise regent with their physical strength, because nature has made them robust for any work and chores which they might be ordered to do. Therefore to be *simpliciter*, properly and exactly, a barbarian is, as the Philosopher here concludes, to be a slave by nature. . . .

There are others in a state of slavery who are not barbarians, and they are not properly called slaves but will always be free. They can only in a very broad sense be called slaves, for the meaning here is merely that they must be ruled by others and told what to do, as if they were slaves. These are people who are born feeble-minded or half-witted, or almost so, or who lack the reasoning power to govern themselves. In this sense the children of freeborn men and gentlemen can at birth be called slaves, and this is what St. Paul means when he says: *Quanto tempore haeres parvulus est, nihil differt a servo*,² et cetera. The Philosopher deals with these in Book 1 of the *Politics*,

² [As long as an heir is young, he is in no way different from a slave.]

wherein he proves that servitude is as natural to some as is command to others, and that nature has produced some men apt and disposed to be governed by others and not to govern, and others to govern and rule their fellows and not to be commanded. It does not follow from this, however, that anyone who is wise and able to govern should then be the master of another who is not his equal; but it should be understood that nature has produced some to govern and others to be governed, and thus the question is one regarding aptitude and not the act of governing itself. In any other sense, kings would be slaves of any wise men in their kingdoms—just as they are in a fashion servants of their council and senate, to the extent that the latter determine and the king is guided by them and obliged by natural reason to obey and execute what they decide. . . . From what has been said, then, the distinction made by the Philosopher between the two types of barbarian seems clear. . . . Not all barbarians are either lacking in reason or slaves by nature, nor can they, for merely being barbarians, be subjugated by force if they possess kingdoms and are free.

CHAPTER CCLXVI. THE FOURTH TYPE OF BARBARIAN NATION

The fourth manner or species of barbarians, which can be inferred from the things said above, embraces all those who lack true religion and Christian faith—that is, all unbelievers, however wise and prudent they may be as philosophers and statesmen. The reason is that there is no nation (excepting that of the Christians) which does not possess and suffer many and great defects, and have barbarism in its laws, customs, way of life and government. The latter are not corrected nor is the manner of life cleansed or reformed through any ordering except by entry into the Church and acceptance of our holy Catholic faith; for this alone is the stainless law which converts souls and cleans away the filth of all evil customs by banishing idolatry and superstitious rites, from which originate all other infamies, vices and impurity, private and public. . . . But there is a clear distinction among unbelievers, as the doctors declare and as we too see from experience, for there are some unbelievers and barbarians whose lack of faith is purely negative. This means that they have never heard of Christ or our faith and doctrine, and thus are called unbelievers because they do not have the faith. They are like those whom we properly call Gentiles, meaning the offspring of people who have not yet been saved through holy baptism. They are like all nations (with the exception of the Jews), who in the beginning, before the advent of Christ, were allowed by the mysterious divine wisdom to fall into idolatry and the vices growing out of it, as appears in the *Acts of the Apostles*, XIV: "Who suffered all the nations to walk in their own ways." . . . The lack of faith of such people does not constitute

a sin by reason of their not having faith in Christ, but rather is punishment for the sin of our parents, Adam and Eve. . . . Such unbelievers are not condemned except for other sins they commit, those which cannot be pardoned without faith; and this is the opinion of St. Thomas. Thus we call such unbelievers barbarians, and they are so, because through lack of doctrine, faith and the grace which goes with them they cannot but abound in many corrupt customs and suffer great defects in their laws and nations, as already proven for the Romans and others. We should not marvel at the vices and brutalities which they had and may have, but rather at those which they do not have. For according to St. Jerome every man who has no word of his Creator is not a man but a beast, and we should thank the One Who summoned us, before them, out of such dark shadows into the wondrous light of His faith; for our forbears suffered much greater shadows and darkness than do these people. . . .

CHAPTER CCLXVII. CONCLUSION OF THE EXPLANATION OF THE SEVERAL TYPES OF BARBARIAN NATIONS

There are other unbelievers and barbarians whose lack of faith is different from that of the foregoing; this is, and is called, the contrary species because of the perverseness shown toward the faith. They have heard the message of the Gospels, refuse to receive it and resist its preaching—it being known that they resist through the pure hatred they bear our faith and the name of Christ. They not only refuse to receive the faith and hear it but battle and persecute it, and were they able, they would destroy it by exalting and spreading their own sect. In these people real faithlessness and its sin achieve their full measure. . . .

EPILOGUE

From the whole discourse concerning barbarians the following differences seem clear. There are four types of barbarian. Three of them, the first, second, and fourth types, are barbarians *secundum quid*, which is to say, barbarian in that certain peoples have or suffer a certain defect or defects in their customs. This is especially so of those who lack our holy faith and applies to all unbelievers, however intelligent and wise they may be. The first two types may also include Christian nations whenever they stray from reason because of any cruel, harsh, disorderly and ferocious affairs or the furious impact of fearful ideas; this was well shown in Castile in 1520 at the time of the Communities.⁸ . . . Only those barbarians contained in the third species are called and are

⁸ [This refers to an unsuccessful series of outbreaks by the lower classes of the towns, or "Communities," against the nobles and bourgeoisie. The protest was against the privileges accorded to non-Spaniards in the realm under Emperor Charles V.]

simpliciter, properly and strictly, barbarians, because they are very remote from reason, neither living nor capable of living according to its rules, whether through lack of understanding or from excessive malice and depraved customs. It has been proved that it is expressly of those and not of the others that the Philosopher speaks in Book 1 of his *Politics* when he refers to barbarians.

. . . These peoples of the Indies are not of the first category, because all in that one are accidental and not natural (we will not explain here what is natural, or nearly so), and such defects cannot by nature befall a whole nation; for it would be a great monstrosity of human lineage if nature were to err to the extent of making men of one nation furious and foppish, foolish or blind with passion. We have indicated above at various times that nature cannot, for the most part, make mistakes as far as man is concerned; these peoples can, however, fall into this type accidentally like any others by conducting affairs with comparable disorder. Similarly, these nations do not belong to the third type, as is clear, because they have their kingdoms and kings, armies, well-ruled and orderly states, houses, treasuries and homes; they live under laws, codes and ordinances; in administering justice they prejudice no one. Hence they cannot belong to this type as they are completely the opposite. Nor do they belong to the second sub-group of the fourth type, for they have never harmed or done evil to the Church. They did not know or have word that the Church was in the world or what sort of people Christians were until we went seeking them. They had their lands, provinces, kingdoms and kings—how distant from ours everyone knows—each kingdom and province living among the others in peace. It follows, then, that all these peoples are barbarians in the broad sense, according to some quality; and the primary one is that they are unbelievers. This is only through their lack of our holy faith, which means a purely negative faithlessness, caused by mere ignorance, and is not a sin, as has been declared. Hence they belong, on these grounds, in the fourth category. They can also be included in the second one because of three qualities. One is that they are illiterate, or lack a written language as did the English. The second is that they are most humble peoples and obey their kings in a strange and admirable manner. The third is that they do not speak our language well nor understand us; but in this we are as barbarian to them as they to us. These, then, are the infinite peoples or nations that we call the western and southern Indies, which were populated for so many thousands of leagues and were discovered by that illustrious Don Christopher Columbus who first broke the isolation that had for so many thousands of years lain upon the Ocean Sea, of which he was most rightfully the first admiral.

BARTOLOMÉ DE LAS CASAS: THIRTY
VERY JURIDICAL PROPOSITIONS

Proposition I: The Pontiff of Rome, the canonically elected Vicar of Christ, successor of St. Peter, has the authority and power of Christ Himself, the Son of God, over all the people of the world, faithful or not, *insofar as he sees it necessary to guide men and set them upon the road to the eternal life, and to remove the impediments therefrom.* He uses and must use such power, however, in one way with the unfaithful who have never undergone holy baptism in the holy Church, particularly those who have never heard of Christ or His faith, and in another way with those who are faithful or once were so.

Proposition II: St. Peter and his successors are by divine law under the necessary obligation of attempting to see that the word and faith of Christ are preached throughout the world with the greatest diligence to all the unfaithful, *who it may be supposed will not resist the spread of the Gospels and Christian teachings.*

Proposition IV: Among ministers for the propagation and maintenance of the faith and Christian religion and for conversion of the unfaithful, the Christian monarchs occupy a position most necessary for the Church; for by means of their power, royal forces and worldly riches they can aid, shelter, preserve and defend the churchly and spiritual ministers, and the end mentioned above can be sought and obtained without confusion or hindrance.

Proposition VII: The Vicar of Christ, by divine authority and to avoid confusion, can and did most wisely, providently and justly divide among Christian princes the kingdoms and provinces of all the unfaithful of every disbelief or sect, thus committing and entrusting to the former the spreading of the holy faith, the extension of the Universal Church and the Christian faith and the conversion and spiritual welfare of those people as an ultimate aim.

Proposition VIII: *The Supreme Pontiff did not make, nor does he or should he make, such a division, commission or concession with the principal and final purpose of bringing the Christian princes into grace or enlarging with honor and more titles and riches their possessions.* His end is the spread of the divine religion, the honor of God and the conversion and salvation of the unfaithful, which is the intent and final aim of the King of Kings and Lord of Lords, Jesus Christ. *At the outset there is imposed upon the princes a most perilous duty and office, for which they must give a complete accounting at the end of their days before the final judgment. The aforesaid division and trust is therefore more for the good and benefit of the unfaithful than for that of the Christian princes.*

Proposition X: Among the unfaithful who live in distant kingdoms, who have never heard speak of Christ or received the faith, there are true kings and princes. *Royal dominion, dignity and preeminence belong to them by virtue of natural law and the law of peoples*, insofar as such dominion leads to the rule and governance of their kingdoms as sanctioned by divine and evangelical law and in the manner that superior persons have dominion over inferior things. With the advent of Jesus Christ, therefore, such dominions, honors, royal prerogatives and the rest were not abolished either universally or individually, *ipso facto nec ipso jure*.⁴

Proposition XI: An opinion contrary to the preceding proposition is erroneous and most pernicious and *whoever defends it vigorously will incur formal heresy*. It would at the same time be most impious, harmful and productive of innumerable thefts, acts of violence, tyrannies, ravages and robberies, irreparable damages and grievous sins, infamy, stench and hatred of the name of Christ and of the Christian religion, and a most effective impediment to our Catholic faith. It would be death, perdition and vainglory for the greater part of mankind, the most certain damnation of infinite souls and, finally, the cruel and foremost enemy of piety, meekness and Christian evangelical custom.

Proposition XII: For no sin of idolatry or any other sin, grave as it may be, are the said unfaithful, masters or subjects, to be deprived of their dominions, dignity or other possessions, *ipso facto vel ipso jure*.

Proposition XIII: Merely for the sin of idolatry or for any other sin, however enormous, grave and heinous, which was committed during the whole period of their unfaithfulness, before they had received holy baptism of their own free will, the unfaithful, particularly those whose lack of faith is simple ignorance, *cannot be punished by any judge in the world*—unless it be a case of those who directly impede the propagation of the faith and, having been sufficiently warned, maliciously persist in their actions.

Proposition XIX: All kings and natural rulers, cities, communities and villages in the Indies shall recognize the monarchs of Castile as their universal and sovereign rulers and emperors in the following manner: *after having received our holy faith and sacred baptism of their own free will; and if before receiving these they do not do so or wish to do so, they cannot be punished by any judge or court*.

Proposition XXII: The rulers of Castile are obliged by divine law to see that the faith of Christ is preached in the form which the Son of God left established in His Church. His apostles adhered to this form effectively and without any slack or failure; the universal Church has always by custom and de-

⁴ [Neither by deed nor by law. The similar phrase in *Proposition XII* means, *Either by deed or by law*.]

crees ordained and constituted it, and the holy sages have explained and enlarged upon it in their books. The form consists in attracting the unfaithful and particularly the Indians, who are by nature very meek, humble and pacific, in a peaceful, loving, sweet and charitable manner, with gentleness, humility and good examples, and in giving them gifts and grants from our part rather than by taking anything of theirs away from them. In this way they will consider the God of the Christians to be a good, gentle and just God and will wish to belong to Him and to receive His Catholic faith and holy doctrine.

Proposition XXIII: To subject them first by warlike means is a form and procedure contrary to the law, gentle yoke, easy burden and gentleness of Jesus Christ. It was the same method used by Mahomet and the Romans to upset and despoil the world. It is that used today by the Turks and the Moors and which the Sherif is beginning to use. Therefore it is most evil, tyrannical, libelous of the sweet name of Christ, and the cause of infinite new blasphemies against the true God and the Christian religion. We have had very extensive experience with what has been done and is being done today in the Indies; because of it, the Indians consider God to be the most cruel, unjust and pitiless of gods, and consequently it impedes the conversion of many unfaithful, giving rise to the impossibility of infinite people in the new world ever to become Christians. This is, moreover, most clearly the infernal path to all the irreparable and distressing evils and damages set forth in *Proposition XI*.

Proposition XXVIII: Satan could not have invented any more effective pestilence with which to destroy the whole new world, to consume and kill off all its people and to depopulate it as such large and populous lands have been depopulated, than the inventions of the *repartimiento* and *encomiendas*,⁵ by which those peoples were divided and assigned to Spaniards as if to all the devils put together, or like herds of cattle delivered to hungry wolves. (This means would have sufficed to depopulate the whole world.) By the *encomienda* or *repartimiento*, which was the cruelest form of tyranny and the one most worthy of hell-fire that could have been invented, all those peoples are prevented from receiving the Christian faith and religion, being held night and day by their wretched and tyrannical overlords, the Spaniards, in the mines, at personal labors and under incredible tributes; forced to carry loads one and two hundred leagues as if they were beasts or worse; and with clerics who preach the faith and give the Indians instruction and a knowledge of God persecuted and driven out of the Indian villages, leaving no witnesses to the acts of violence, cruelties and continual robberies and murders. Because of the

⁵ [A *repartimiento* was an allocation of forced Indian labor. An *encomienda* was a conferred right to Indian tribute or labor; the grantee was responsible, though often only in theory, for the Indians' catechization and welfare.]

encomiendas and *repartimiento* the Indians have suffered and still suffer continual tortures, thefts and injustices to their persons and to their children, women and worldly goods. Because of the *encomiendas* and *repartimiento* there have perished in the space of forty-six years (and I was present) more than fifteen million souls without faith or sacraments, and more than three thousand leagues of land have been depopulated. I have been present, as I say, and as long as these *encomiendas* last, I ask that God be a witness and judge of what I say: the power of the monarchs, even were they on the scene, will not suffice to keep all the Indians from perishing, dying off and being consumed; and in this way a thousand worlds might end, without any remedy.

Proposition XXX and the last: From all the aforesaid, by dint of necessary consequence, it follows that, *without prejudice to the title and royal sovereignty which the monarchs of Castile exercise over the new world of the Indies, everything which has been done there—both by the unjust and tyrannical conquests and by the repartimientos and encomiendas—is null, void and without value or sanction of any right*, for everything has been done by absolute tyrants, without just cause or reason or the authority of their natural prince and monarch. . . .

VI

THE MORAL TEMPER OF THE HUMANIST RENAISSANCE

PETRARCH

FRANCESCO PETRARCA, or Petrarch (1304-74), has been called "the father of humanism," and to him, as to Erasmus and others, has been given also the title "the first modern." If in history, unlike biology, more than one father is possible, Petrarch at least merits these titles as much as any other one man. He was not simply an admirer of the literature of antiquity but a pioneer in the critical recovery and correction of the ancient texts. To most people he is famous as poet and classical scholar, but to his own age he was no less renowned as a man of the world. He was the friend and political adviser of popes and princes, an educational reformer, and a popular idol.

The search for religious novelties that characterized the later Renaissance did not attract Petrarch. He was orthodox in his convictions, and the ideal of monastic Christianity never ceased to impress him. At the same time he felt too strongly attracted to the values of nature, life, and society to escape a perpetual conflict within himself of ascetic and secular attitudes. He says in his autobiographical *Letter to Posterity*: "Although I may have been carried away by the fire of youth or by my ardent temperament, I have always abhorred such sins from the depths of my soul." But the impression of the triumph of monasticism that we are likely to get from some of his pronouncements is hardly borne out by the general pattern of his life—that of a man of strong passions and diverse interests. In the *Secret*, his confessions in three dialogues between (appropriately) "Augustine" and "Francesco," the latter is made to say: "There is a certain justification for my way of life. It may be only glory that we seek here, but I persuade myself that, so long as we remain here, that is right. Another glory awaits us in heaven and he who reaches there will not wish even to think of earthly fame. So this is the natural order, that among mortals the care of things mortal should come first; to the transitory will then succeed the eternal; from the first to the second is the natural progression."

Petrarch was a humanist in both the technical or professional and the broader moral sense of the term. His sense of the joy of living and his underlying respect for natural impulses were consequences of his own nature as well as of his study of classical writers. That he did not always possess a sound perspective of antiquity and overemphasized Latin at the expense of Greek literature—Cicero, Virgil, Seneca, and Livy overshadowing Plato, Aristotle, and Homer—was owing partly to his lack of opportunity to learn Greek, but partly also, perhaps, to his intellectual make-up and his impatience with rigorous philosophizing.

In his distaste for systematic theology and his relative indifference to the schoolmen and Aristotle, Petrarch was daringly independent. His modernity and his limitations, however, run side by side. If liberated from the domination of scholasticism, he was also blind to its achievements and unduly partial to his own favorites, Cicero and Augustine. He attacked astrology and fought superstition, yet he was not alive to the value and increasing significance of natural science. Most modern, perhaps, is his introspective self-analysis. This is not indeed unusual as such, having

appeared among the medievals, but it is unusual in the form in which he exhibits it. Throughout his life he probed his often-troubled consciousness, internally reviewing his problems—whether his desire for literary fame or his love for the Laura of his sonnets—and setting them forth in his confessions.

The following letter, originally in Latin (1336), and the foregoing quotations are taken from Robinson and Rolfe, *Petrarch* (New York, G. P. Putnam's Sons, 1898; 2d ed., 1914).



THE ASCENT OF MOUNT VENTOUX

(*Letter to Dionisio da Borgo San Sepolcro*)

TO-DAY I made the ascent of the highest mountain in this region, which is not improperly called Ventosum. My only motive was the wish to see what so great an elevation had to offer. I have had the expedition in mind for many years; for, as you know, I have lived in this region from infancy, having been cast here by that fate which determines the affairs of men. Consequently the mountain, which is visible from a great distance, was ever before my eyes, and I conceived the plan of some time doing what I have at last accomplished to-day. The idea took hold upon me with especial force when, in re-reading Livy's *History of Rome*, yesterday, I happened upon the place where Philip of Macedon, the same who waged war against the Romans, ascended Mount Haemus in Thessaly, from whose summit he was able, it is said, to see two seas, the Adriatic and the Euxine. Whether this be true or false I have not been able to determine, for the mountain is too far away, and writers disagree. Pomponius Mela, the cosmographer—not to mention others who have spoken of this occurrence—admits its truth without hesitation; Titus Livius, on the other hand, considers it false. I, assuredly, should not have left the question long in doubt, had that mountain been as easy to explore as this one. Let us leave this matter one side, however, and return to my mountain here,—it seems to me that a young man in private life may well be excused for attempting what an aged king could undertake without arousing criticism.

When I came to look about for a companion I found, strangely enough, that hardly one among my friends seemed suitable, so rarely do we meet with just the right combination of personal tastes and characteristics, even among those who are dearest to us. This one was too apathetic, that one over-anxious; this one too slow, that one too hasty; one was too sad, another over-cheerful; one more simple, another more sagacious, than I desired. I feared this one's taciturnity and that one's loquacity. The heavy deliberation of some repelled me as much as the lean incapacity of others. I rejected those who were likely

to irritate me by a cold want of interest, as well as those who might weary me by their excessive enthusiasm. Such defects, however grave, could be borne with at home, for charity suffereth all things, and friendship accepts any burden; but it is quite otherwise on a journey, where every weakness becomes much more serious. So, as I was bent upon pleasure and anxious that my enjoyment should be unalloyed, I looked about me with unusual care, balanced against one another the various characteristics of my friends, and without committing any breach of friendship I silently condemned every trait which might prove disagreeable on the way. And—would you believe it?—I finally turned homeward for aid, and proposed the ascent to my only brother, who is younger than I, and with whom you are well acquainted. He was delighted and gratified beyond measure by the thought of holding the place of a friend as well as of a brother.

At the time fixed we left the house, and by evening reached Malaucène, which lies at the foot of the mountain, to the north. Having rested there a day, we finally made the ascent this morning, with no companions except two servants; and a most difficult task it was. The mountain is a very steep and almost inaccessible mass of stony soil. But, as the poet has well said, "Remorseless toil conquers all." It was a long day, the air fine. We enjoyed the advantages of vigour of mind and strength and agility of body, and everything else essential to those engaged in such an undertaking, and so had no other difficulties to face than those of the region itself. We found an old shepherd in one of the mountain dales, who tried, at great length, to dissuade us from the ascent, saying that some fifty years before he had, in the same ardour of youth, reached the summit, but had gotten for his pains nothing except fatigue and regret, and clothes and body torn by the rocks and briars. No one, so far as he or his companions knew, had ever tried the ascent before or after him. But his counsels increased rather than diminished our desire to proceed, since youth is suspicious of warnings. So the old man, finding that his efforts were in vain, went a little way with us, and pointed out a rough path among the rocks, uttering many admonitions, which he continued to send after us even after we had left him behind. Surrendering to him all such garments or other possessions as might prove burdensome to us, we made ready for the ascent, and started off at a good pace. But as usually happens, fatigue quickly followed upon our excessive exertion, and we soon came to a halt at the top of a certain cliff. Upon starting on again we went more slowly, and I especially advanced along the rocky way with a more deliberate step. While my brother chose a direct path straight up the ridge, I weakly took an easier one which really descended. When I was called back, and the right road was shown me, I replied that I hoped to find a better way round on the other side, and that I

did not mind going farther if the path were only less steep. This was just an excuse for my laziness; and when the others had already reached a considerable height I was still wandering in the valleys. I had failed to find an easier path, and had only increased the distance and difficulty of the ascent. At last I became disgusted with the intricate way I had chosen, and resolved to ascend without more ado. When I reached my brother, who while waiting for me, had had ample opportunity for rest, I was tired and irritated. We walked along together for a time, but hardly had we passed the first spur when I forgot about the circuitous route which I had just tried, and took a lower one again. Once more I followed an easy, roundabout path through winding valleys, only to find myself soon in my old difficulty. I was simply trying to avoid the exertion of the ascent; but no human ingenuity can alter the nature of things, or cause anything to reach a height by going down. Suffice it to say that, much to my vexation and my brother's amusement, I made this same mistake three times or more during a few hours.

After being frequently misled in this way, I finally sat down in a valley and transferred my winged thoughts from things corporeal to the immaterial, addressing myself as follows:—"What thou hast repeatedly experienced to-day in the ascent of this mountain, happens to thee, as to many, in the journey toward the blessed life. But this is not so readily perceived by men, since the motions of the body are obvious and external while those of the soul are invisible and hidden. Yes, the life which we call blessed is to be sought for on a high eminence, and strait is the way that leads to it. Many, also, are the hills that lie between, and we must ascend, by a glorious stairway, from strength to strength. At the top is at once the end of our struggles and the goal for which we are bound. All wish to reach this goal, but, as Ovid says, 'To wish is little; we must long with the utmost eagerness to gain our end.' Thou certainly dost ardently desire, as well as simply wish, unless thou deceivest thyself in this matter, as in so many others. What, then, doth hold thee back? Nothing, assuredly, except that thou wouldst take a path which seems, at first thought, more easy, leading through low and worldly pleasures. But nevertheless in the end, after long wanderings, thou must perforce either climb the steeper path, under the burden of tasks foolishly deferred, to its blessed culmination, or lie down in the valley of thy sins, and (I shudder to think of it!), if the shadow of death overtake thee, spend an eternal night amid constant torments." These thoughts stimulated both body and mind in a wonderful degree for facing the difficulties which yet remained. Oh, that I might traverse in spirit that other road for which I long day and night, even as to-day I overcame material obstacles by my bodily exertions! And I know not why it should not be far easier, since the swift immortal soul can reach its goal in the twinkling

of an eye, without passing through space, while my progress to-day was necessarily slow, dependent as I was upon a failing body weighed down by heavy members.

One peak of the mountain, the highest of all, the country people call "Sonny," why, I do not know, unless by antiphrasis, as I have sometimes suspected in other instances; for the peak in question would seem to be the father of all the surrounding ones. On its top is a little level place, and here we could at last rest our tired bodies.

Now, my father, since you have followed the thoughts that spurred me on in my ascent, listen to the rest of the story, and devote one hour, I pray you, to reviewing the experiences of my entire day. At first, owing to the unaccustomed quality of the air and the effect of the great sweep of view spread out before me, I stood like one dazed. I beheld the clouds under our feet, and what I had read of Athos and Olympus seemed less incredible as I myself witnessed the same things from a mountain of less fame. I turned my eyes toward Italy, whither my heart most inclined. The Alps, rugged and snow-capped, seemed to rise close by, although they were really at a great distance; the very same Alps through which that fierce enemy of the Roman name once made his way, bursting the rocks, if we may believe the report, by the application of vinegar. I sighed, I must confess, for the skies of Italy, which I beheld rather with my mind than with my eyes. An inexpressible longing came over me to see once more my friend and my country. At the same time I reproached myself for this double weakness, springing, as it did, from a soul not yet steeled to manly resistance. And yet there were excuses for both of these cravings, and a number of distinguished writers might be summoned to support me.

Then a new idea took possession of me, and I shifted my thoughts to a consideration of time rather than place. "To-day it is ten years since, having completed thy youthful studies, thou didst leave Bologna. Eternal God! In the name of immutable wisdom, think what alterations in thy character this intervening period has beheld! I pass over a thousand instances. I am not yet in a safe harbour where I can calmly recall past storms. The time may come when I can review in due order all the experiences of the past, saying with St. Augustine, 'I desire to recall my foul actions and the carnal corruption of my soul, not because I love them, but that I may the more love thee, O my God.' Much that is doubtful and evil still clings to me, but what I once loved, that I love no longer. And yet what am I saying? I still love it, but with shame, but with heaviness of heart. Now, at last, I have confessed the truth. So it is. I love, but love what I would not love, what I would that I might hate. Though loath to do so, though constrained, though sad and sorrowing, still

I do love, and I feel in my miserable self the truth of the well known words, 'I will hate if I can; if not, I will love against my will.' Three years have not yet passed since that perverse and wicked passion which had a firm grasp upon me and held undisputed sway in my heart began to discover a rebellious opponent, who was unwilling longer to yield obedience. These two adversaries have joined in close combat for the supremacy, and for a long time now a harassing and doubtful war has been waged in the field of my thoughts."

Thus I turned over the last ten years in my mind, and then, fixing my anxious gaze on the future, I asked myself, "If, perchance, thou shouldst prolong this uncertain life of thine for yet two lustres, and shouldst make an advance toward virtue proportionate to the distance to which thou hast departed from thine original infatuation during the past two years, since the new longing first encountered the old, couldst thou, on reaching thy fortieth year, face death, if not with complete assurance, at least with hopefulness, calmly dismissing from thy thoughts the residuum of life as it faded into old age?"

These and similar reflections occurred to me, my father. I rejoiced in my progress, mourned my weaknesses, and commiserated the universal instability of human conduct. I had well-nigh forgotten where I was and our object in coming; but at last I dismissed my anxieties, which were better suited to other surroundings, and resolved to look about me and see what we had come to see. The sinking sun and the lengthening shadows of the mountain were already warning us that the time was near at hand when we must go. As if suddenly awakened from sleep, I turned about and gazed toward the west. I was unable to discern the summits of the Pyrenees, which form the barrier between France and Spain; not because of any intervening obstacle that I know of but owing simply to the insufficiency of our mortal vision. But I could see with the utmost clearness, off to the right, the mountains of the region about Lyons, and to the left the bay of Marseilles and the waters that lash the shores of Aigues Mortes, altho' all these places were so distant that it would require a journey of several days to reach them. Under our very eyes flowed the Rhone.

While I was thus dividing my thoughts, now turning my attention to some terrestrial object that lay before me, now raising my soul, as I had done my body, to higher planes, it occurred to me to look into my copy of St. Augustine's *Confessions*, a gift that I owe to your love, and that I always have about me, in memory of both the author and the giver. I opened the compact little volume, small indeed in size, but of infinite charm, with the intention of reading whatever came to hand, for I could happen upon nothing that would be otherwise than edifying and devout. Now it chanced that the tenth book presented itself. My brother, waiting to hear something of St. Augustine's from my lips, stood attentively by. I call him, and God too, to witness that where I first

fixed my eyes it was written: "And men go about to wonder at the heights of the mountains, and the mighty waves of the sea, and the wide sweep of rivers, and the circuit of the ocean, and the revolution of the stars, but themselves they consider not." I was abashed, and, asking my brother (who was anxious to hear more), not to annoy me, I closed the book, angry with myself that I should still be admiring earthly things who might long ago have learned from even the pagan philosophers that nothing is wonderful but the soul, which, when great itself, finds nothing great outside itself. Then, in truth, I was satisfied that I had seen enough of the mountain; I turned my inward eye upon myself, and from that time not a syllable fell from my lips until we reached the bottom again. Those words had given me occupation enough, for I could not believe that it was by a mere accident that I happened upon them. What I had there read I believed to be addressed to me and to no other, remembering that St. Augustine had once suspected the same thing in his own case, when, on opening the book of the Apostle, as he himself tells us, the first words that he saw there were, "Not in rioting and drunkenness, not in chambering and wantonness, not in strife and envying. But put ye on the Lord Jesus Christ, and make not provision for the flesh, to fulfil the lusts thereof."

The same thing happened earlier to St. Anthony, when he was listening to the Gospel where it is written, "If thou wilt be perfect, go and sell that thou hast, and give to the poor, and thou shalt have treasure in heaven: and come and follow me." Believing this scripture to have been read for his especial benefit, as his biographer Athanasius says, he guided himself by its aid to the Kingdom of Heaven. And as Anthony on hearing these words waited for nothing more, and as Augustine upon reading the Apostle's admonition sought no farther, so I concluded my reading in the few words which I have given. I thought in silence of the lack of good counsel in us mortals, who neglect what is noblest in ourselves, scatter our energies in all directions, and waste ourselves in a vain show, because we look about us for what is to be found only within. I wondered at the natural nobility of our soul, save when it debases itself of its own free will, and deserts its original estate, turning what God has given it for its honour into dishonour. How many times, think you, did I turn back that day, to glance at the summit of the mountain, which seemed scarcely a cubit high compared with the range of human contemplation,—when it is not immersed in the foul mire of earth? With every downward step I asked myself this: If we are ready to endure so much sweat and labour in order that we bring our bodies a little nearer heaven, how can a soul struggling toward God, up the steep of human pride and human destiny, fear any cross or prison or sting of fortune? How few, I thought, but are diverted from their path by the fear of difficulties or the love of ease! How

happy the lot of those few, if any such there be! Is it of them, assuredly, that the poet was thinking, when he wrote:

Happy the man who is skilled to understand
Nature's hid causes; who beneath his feet
All terrors casts, and death's relentless doom,
And the loud roar of greedy Acheron.¹

How earnestly should we strive, not to stand on mountain-tops, but to trample beneath us those appetites which spring from earthly impulses.

With no consciousness of the difficulties of the way, amidst these preoccupations which I have so frankly revealed, we came, long after dark, but with the full moon lending us its friendly light, to the little inn which we had left that morning before dawn. The time during which the servants have been occupied in preparing our supper, I have spent in a secluded part of the house, hurriedly jotting down these experiences on the spur of the moment, lest, in case my task were postponed, my mood should change on leaving the place, and so my interest in writing flag.

You will see, my dearest father, that I wish nothing to be concealed from you, for I am careful to describe to you not only my life in general but even my individual reflections. And I beseech you, in turn, to pray that these vague and wandering thoughts of mine may some time become firmly fixed, and, after having been vainly tossed about from one interest to another, may direct themselves at last toward the single, true, certain, and everlasting good.

¹ *Georgics*, ii., 490 *sqq.*

GIOVANNI BOCCACCIO

EVEN in the robust days of its early flowering, the Renaissance was never so homogeneous a movement that it can be described in a simple historical catchword. Nor were the early humanists simple men, however naively they may sometimes have viewed the world in the first enthusiasm of their new vision. Loyal as they were to common values and perspectives, each of them had a personal direction and a special zest. So if Petrarch felt it necessary to climb a mountain in order to gain self-understanding—and sought, as it were, to locate man along some vertical scale of being—the orientation of Giovanni Boccaccio (1313–75) was horizontal, and his inspiration came from the restless surface of human society in all its forms and emotional conjugations. Both men were dedicated to the humanistic ideals of the artist as intellectual hero and of art as the educator of humanity; but if Petrarch spoke from the lofty position of poet laureate, Boccaccio's insights were drawn from the commercial, political, and moral stresses of the time. Each of these men, whose careers often intersected, accepted the poetic and erotic idiom of Provence, with its exaltation of the woman as a being painfully fair and inaccessible, to be adored from afar, and its belief that sincere love is an ennobling, and indeed civilizing, force. But the Laura of Petrarch's sonnets, however genuinely felt, is (like Dante's Beatrice) almost exclusively a construction of the mind and spirit, while Boccaccio's Fiammetta comes through as a creature of the flesh and a woman of the world.

Boccaccio was the illegitimate son of a wealthy merchant. From the beginning, he tells us, he felt poetry to be his calling; and his education—first as a merchant and then as a student of law under Cino di Pistoia—was later regarded by him as years utterly wasted. Though he traveled often between Florence and Naples, the best times of his young manhood were spent amidst the gaiety and wit of King Robert of Anjou's court in Naples, in an atmosphere dominated by pretty women and lettered men. It was there that he became impassioned with the natural daughter of Robert (the "Fiammetta" of his writings), and it was there, later, that he worked out the main elements of his most famous work, the *Decameron*, at the instigation of Giovanna of Anjou. Though many of his writings seem turgid to the modern reader, and possess merely antiquarian interest, the *Decameron* (1353) has assured him a lasting fame and an enduring contemporaneity.

The book takes its point of departure from the great plague that raged in Florence in 1348. A mixed group of merry people withdraw from the stricken city and entertain one another with stories, a hundred all told, which convey to us a sense of the social dissolution which the plague effected, the sudden bursting of old ties and values, as well as the stirrings of a fresh morality and a new affirmation. The *Decameron* is a gallery of rogues, secular and sacerdotal, of wanton and faithful lovers, and a tapestry of vital characters ranging from kings and queens to gardeners and chamber maids. A repository of tales of passion and mirth, tenderness and death, it is perhaps Europe's first masterpiece of prose fiction, and it is a lens through which we may discern the ferment and energy of a creative era.

The story from the *Decameron* that is given below is in John Payne's translation from the Italian (1886), and is reprinted by permission of Random House, Inc., New York.



THE DECAMERON

Day the First: The First Story

MASTER CIAPPELLETTO DUPETH A HOLY FRIAR WITH A FALSE
CONFESSION AND DIETH; AND HAVING BEEN IN HIS LIFETIME THE
WORST OF MEN, HE IS, AFTER HIS DEATH, REPUTED A SAINT AND
CALLED SAINT CIAPPELLETTO.

It is a seemly thing, dearest ladies, that whatsoever a man doth, he give it beginning from the holy and admirable name of Him who is the maker of all things. Wherefore, it behoving me, as the first, to give commencement to our storytelling, I purpose to begin with one of His marvels, to the end that, this being heard, our hope in Him, as in a thing immutable, may be confirmed and His name be ever praised of us. It is manifest that, like as things temporal are all transitory and mortal, even so both within and without are they full of annoy and anguish and travail and subject to infinite perils, against which it is indubitable that we, who live enmingled therein and who are indeed part and parcel thereof, might avail neither to endure nor to defend ourselves, except God's especial grace lent us strength and foresight; which latter, it is not to be believed, descendeth unto us and upon us by any merit of our own, but of the proper motion of His own benignity and the efficacy of the prayers of those who were mortals even as we are and having diligently ensued His commandments, what while they were on life, are now with Him become eternal and blessed and unto whom we,—belike not daring to address ourselves unto the proper presence of so august a judge,—proffer our petitions of the things which we deem needful unto ourselves, as unto advocates informed by experience of our frailty. And this more we discern in Him, full as He is of compassionate liberality towards us, that, whereas it chanceth whiles (the keenness of mortal eyes availing not in any wise to penetrate the secrets of the Divine intent), that we peradventure, beguiled by report, make such an one our advocate unto His majesty, who is outcast from His presence with an eternal banishment,—nevertheless He, from whom nothing is hidden, having regard rather to the purity of the suppliant's intent than to his ignorance or to the

reprobate estate of him whose intercession he invoketh, giveth ear unto those who pray unto the latter, as if he were in very deed blessed in His aspect. The which will manifestly appear from the story which I purpose to relate; I say manifestly, ensuing, not the judgment of God, but that of men.

It is told, then, that Musciatto Franzesi,¹ being from a very rich and considerable merchant in France become a knight and it behoving him thereupon go into Tuscany with Messire Charles Sansterre,² brother to the king of France,³ who had been required and bidden thither by Pope Boniface,⁴ found his affairs in one part and another sore embroiled, (as those of merchants most times are,) and was unable lightly or promptly to disentangle them; wherefore he bethought himself to commit them unto divers persons and made shift for all, save only he abode in doubt whom he might leave sufficient to the recovery of the credits he had given to certain Burgundians. The cause of his doubt was that he knew the Burgundians to be litigious, quarrelsome fellows, ill-conditioned and disloyal, and could not call one to mind, in whom he might put any trust, curst enough to cope with their perversity. After long consideration of the matter, there came to his memory a certain Master Ciapperello da Prato, who came often to his house in Paris and whom, for that he was little of person and mighty nice in his dress, the French, knowing not what *Cepparello*⁵ meant and thinking it be the same with *Cappello*, to wit, in their vernacular, Chaplet, called him, not *Cappello*, but *Ciappelletto*,⁶ and accordingly as *Ciappelletto* he was known everywhere, whilst few knew him for Master *Ciapperello*.

Now this said *Ciappelletto* was of this manner life, that, being a scrivener, he thought very great shame whenas any of his instruments was found (and indeed he drew few such) other than false; whilst of the latter⁷ he would have drawn as many as might be required of him and these with a better will by way of gift than any other for a great wage. False witness he bore with especial delight, required or not required, and the greatest regard being in those times paid to oaths in France, as he recked nothing of forswearing himself, he knavishly gained all the suits concerning which he was called upon to tell the

¹ [A Florentine merchant settled in France; he had great influence over Philip the Fair and made use of the royal favor to enrich himself by means of monopolies granted at the expense of his compatriots.]

² [Charles, count of Valois and d'Alençon.]

³ [Philip the Fair, A.D. 1268-1314.]

⁴ [The Eighth.]

⁵ [*Cepparello* means a "log" or "stump." *Ciapperello* is apparently a dialectic variant of the same word.]

⁶ [Diminutive of *Cappello*. This passage is obscure and most likely corrupt. Boccaccio probably meant to write "hat" instead of "chaplet" (*ghirlanda*) as the meaning of *cappello*, chaplet (diminutive of Old English *chapel*, a hat) being the meaning of *ciappelletto* (properly *cappelletto*).]

⁷ [That is, false instruments.]

truth upon his faith. He took inordinate pleasure and was mighty diligent in stirring up troubles and enmities and scandals between friends and kinsfolk and whomsoever else, and the greater the mischiefs he saw ensue thereof, the more he rejoiced. If bidden to manslaughter or whatsoever other naughty deed, he went about it with a will, without ever saying nay thereto; and many a time of his proper choice he had been known to wound men and do them to death with his own hand. He was a terrible blasphemer of God and the saints, and that for every trifle, being the most choleric man alive. To church he went never and all the sacraments thereof he flouted in abominable terms, as things of no account; whilst, on the other hand, he was still fain to haunt and use taverns and other lewd places. Of women he was as fond as dogs of the stick; but in the contrary he delighted more than any filthy fellow alive. He robbed and pillaged with as much conscience as a godly man would make oblation to God; he was a very glutton and a great wine bibber, inso-much that bytimes it wrought him shameful mischief, and to boot, he was a notorious gamester and a caster of cogged dice. But why should I enlarge in so many words? He was belike the worst man that ever was born. His wickedness had long been upheld by the power and interest of Messer Musciatto, who had many a time safeguarded him as well from private persons, to whom he often did a mischief, as from the law, against which he was a perpetual offender.

This Master Ciappelletto, then, coming to Musciatto's mind, the latter, who was very well acquainted with his way of life, bethought himself that he should be such an one as the perversity of the Burgundians required and accordingly, sending for him, he bespoke him thus: "Master Ciappelletto, I am, as thou knowest, about altogether to withdraw hence, and having to do, amongst others, with certain Burgundians, men full of guile, I know none whom I may leave to recover my due from them more fitting than thyself, more by token that thou dost nothing at this present; wherefore, an thou wilt undertake this, I will e'en procure thee the favor of the Court and give thee such part as shall be meet of that which thou shalt recover."

Dan Ciappelletto, who was then out of employ and ill provided with the goods of the world, seeing him who had long been his stay and his refuge about to depart thence, lost no time in deliberation, but, as of necessity constrained, replied that he would well. They being come to an accord, Musciatto departed and Ciappelletto, having gotten his patron's procuration and letters commendatory from the king, betook himself into Burgundy, where well nigh none knew him, and there, contrary to his nature, began courteously and blandly to seek to get in his payments and do that wherefor he was come thither, as if reserving choler and violence for a last resort. Dealing thus and

lodging in the house of two Florentines, brothers, who there lent at usance and who entertained him with great honor for the love of Messer Musciatto, it chanced that he fell sick, whereupon the two brothers promptly fetched physicians and servants to tend him and furnished him with all that behoved unto the recovery of his health.

But every succor was in vain, for that, by the physicians' report, the good man, who was now old and had lived disorderly, grew daily worse, as one who had a mortal sickness; wherefore the two brothers were sore concerned and one day, being pretty near the chamber where he lay sick, they began to take counsel together, saying one to the other, "How shall we do with yonder fellow? We have a sorry bargain on our hands of his affair, for that to send him forth of our house, thus sick, were a sore reproach to us and a manifest sign of little wit on our part, if the folk, who have seen us first receive him and after let tend and medicine him with such solicitude, should now see him suddenly put out of our house, sick unto death as he is, without it being possible for him to have done aught that should displease us. On the other hand, he hath been so wicked a man that he will never consent to confess or take any sacrament of the church; and he dying without confession, no church will receive his body; nay, he will be cast into a ditch, like a dog. Again, even if he do confess, his sins are so many and so horrible that the like will come of it, for that there is nor priest nor friar who can or will absolve him thereof; wherefore, being unshriven, he will still be cast into the ditches. Should it happen thus, the people of the city, as well on account of our trade, which appeareth to them most iniquitous and of which they missay all day, as of their itch to plunder us, seeing this, will rise up in riot and cry out, 'These Lombard dogs, whom the church refuseth to receive, are to be suffered here no longer';—and they will run to our houses and despoil us not only of our good, but may be of our lives, to boot; wherefore in any case it will go ill with us, if yonder fellow die."

Master Ciappelletto, who, as we have said, lay near the place where the two brothers were in discourse, being quick of hearing, as is most times the case with the sick, heard what they said of him and calling them to him, bespoke them thus: "I will not have you anywise misdoubt of me nor fear to take any hurt by me. I have heard what you say of me and am well assured that it would happen even as you say, should matters pass as you expect; but it shall go otherwise. I have in my lifetime done God the Lord so many an affront that it will make neither more nor less, an I do Him yet another at the point of death; wherefore do you make shift to bring me the holiest and worthiest friar you may avail to have, if any such there be,^a and leave the rest to me, for

^a [That is, if there be such a thing as a holy and worthy friar.]

that I will assuredly order your affairs and mine own on such wise that all shall go well and you shall have good cause to be satisfied."

The two brothers, albeit they conceived no great hope of this, nevertheless betook themselves to a brotherhood of monks and demanded some holy and learned man to hear the confession of a Lombard who lay sick in their house. There was given them a venerable brother of holy and good life and a past master in Holy Writ, a very reverend man, for whom all the townsfolk had a very great and special regard, and they carried him to their house; where, coming to the chamber where Master Ciappelletto lay and seating himself by his side, he began first tenderly to comfort him and after asked him how long it was since he had confessed last; whereto Master Ciappelletto, who had never confessed in his life, answered, "Father, it hath been my usance to confess every week once at the least and often more; it is true that, since I fell sick, to wit, these eight days past, I have not confessed, such is the annoy that my sickness hath given me." Quoth the friar, "My son, thou hast done well and so must thou do henceforward. I see, since thou confessest so often, that I shall be at little pains either of hearing or questioning." "Sir," answered Master Ciappelletto, "say not so; I have never confessed so much nor so often but I would still fain make a general confession of all my sins that I could call to mind from the day of my birth to that of my confession; wherefore I pray you, good my father, question me as punctually of everything, nay, everything, as if I had never confessed; and consider me not because I am sick, for that I had far liefer displease this my flesh than, in consulting its ease, do aught that might be the perdition of my soul, which my Savior redeemed with His precious blood."

These words much pleased the holy man and seemed to him to argue a well-disposed mind; wherefore, after he had much commended Master Ciappelletto for that his usance, he asked him if he had ever sinned by way of lust with any woman. "Father," replied Master Ciappelletto, sighing, "on this point I am ashamed to tell you the truth, fearing to sin by way of vainglory." Quoth the friar, "Speak in all security, for never did one sin by telling the truth, whether in confession or otherwise." "Then," said Master Ciappelletto, "since you certify me of this, I will tell you; I am yet a virgin, even as I came forth of my mother's body." "O blessed be thou of God!" cried the monk. "How well hast thou done! And doing thus, thou hast the more deserved, inasmuch as, an thou wouldst, thou hadst more leisure to do the contrary than we and whatsoever others are limited by any rule."

After this he asked him if he had ever offended against God in the sin of gluttony; whereto Master Ciappelletto answered, sighing, Ay had he, and that many a time; for that, albeit, over and above the Lenten fasts that are

yearly observed of the devout, he had been wont to fast on bread and water three days at the least in every week,—he had oftentimes (and especially whenas he had endured any fatigue, either praying or going a-pilgrimage) drunken the water with as much appetite and as keen a relish as great drinkers do wine. And many a time he had longed to have such homely salads of potherbs as women make when they go into the country; and whiles eating had given him more pleasure than him seemed it should do to one who fasteth for devotion, as did he. “My son,” said the friar, “these sins are natural and very slight and I would not therefore have thee burden thy conscience withal more than behoveth. It happeneth to every man, how devout soever he be, that, after long fasting, meat seemeth good to him, and after travail drink.”

“Alack, father mine,” rejoined Ciappelletto, “tell me not this to comfort me; you must know I know that things done for the service of God should be done sincerely and with an ungrudging mind; and whoso doth otherwise sinneth.” Quoth the friar, exceeding well pleased, “I am content that thou shouldst thus apprehend it and thy pure and good conscience therein pleaseth me exceedingly. But, tell me, hast thou sinned by way of avarice, desiring more than befitted or withholding that which it behoved thee not to withhold?” “Father mine,” replied Ciappelletto, “I would not have you look to my being in the house of these usurers; I have nought to do here; nay, I came hither to admonish and chasten them and turn them from this their abominable way of gain; and methinketh I should have made shift to do so, had not God thus visited me. But you must know that I was left a rich man by my father, of whose good, when he was dead, I bestowed the most part in alms, and after, to sustain my life and that I might be able to succor Christ’s poor, I have done my little traffickings, and in these I have desired to gain; but still with God’s poor have I shared that which I gained, converting my own half to my occasion and giving them the other, and in this so well hath my Creator prospered me that my affairs have still gone from good to better.”

“Well hast thou done,” said the friar; “but hast thou often been angered?” “Oh,” cried Master Ciappelletto, “that I must tell you I have very often been! And who could keep himself therefrom, seeing men do unseemly things all day long, keeping not the commandments of God neither fearing His judgments? Many times a day I had liefer been dead than alive, seeing young men follow after vanities and hearing them curse and forswear themselves, haunting the taverns, visiting not the churches and ensuing rather the ways of the world than that of God.” “My son,” said the friar, “this is a righteous anger, nor for my part might I enjoin thee any penance therefor. But hath anger at any time availed to move thee to do any manslaughter or to bespeak any one unseemly or do any other unright?” “Alack, sir,” answered the sick man, “you,

who seem to me a man of God, how can you say such words? Had I ever had the least thought of doing any one of the things whereof you speak, think you I believe that God would so long have forborne me? These be the doings of outlaws and men of nought, whereof I never saw any but I said still, 'Go, may God amend thee!'

Then said the friar, "Now tell me, my son (blessed be thou of God), hast thou never borne false witness against any or missaid of another, or taken others' good, without leave of him to whom it pertained?" "Ay, indeed, sir," replied Master Ciappelletto; "I have missaid of others; for that I had a neighbor aforetime, who, with the greatest unright in the world, did nought but beat his wife, insomuch that I once spoke ill of him to her kinsfolk, so great was the compassion that overcame me for the poor woman, whom he used as God alone can tell, whenassoever he had drunken overmuch." Quoth the friar, "Thou tellest me thou has been a merchant. Hast thou never cheated any one, as merchants do whiles?" "I' faith, yes, sir," answered Master Ciappelletto; "but I know not whom, except it were a certain man, who once brought me monies which he owed me for cloth I had sold him and which I threw into a chest, without counting. A good month after, I found that they were four farthings more than they should have been; wherefore, not seeing him again and having kept them by me a full year, that I might restore them to him, I gave them away in alms." Quoth the friar, "This was a small matter, and thou didst well to deal with it as thou didst."

Then he questioned him of many other things, of all which he answered after the same fashion, and the holy father offering to proceed to absolution, Master Ciappelletto said, "Sir, I have yet sundry sins that I have not told you." The friar asked him what they were, and he answered, "I mind me that one Saturday, after none, I caused my servant sweep out the house and had not that reverence for the Lord's holy day which it behoved me have." "Oh," said the friar, "that is a light matter, my son." "Nay," rejoined Master Ciappelletto, "call it not a light matter, for that the Lord's Day is greatly to be honored, seeing that on such a day our Lord rose from the dead." Then said the friar, "Well, hast thou done aught else?" "Ay, sir," answered Master Ciappelletto; "once, unthinking what I did, I spat in the church of God." Thereupon the friar fell a-smiling and said, "My son, that is no thing to be recked of; we who are of the clergy, we spit there all day long." "And you do very ill," rejoined Master Ciappelletto; "for that there is nought which it so straitly behoveth to keep clean as the holy temple wherein is rendered sacrifice to God."

Brief, he told him great plenty of such like things and presently fell a-sighing and after weeping sore, as he knew full well to do, whenas he would. Quoth the holy friar, "What aileth thee, my son?" "Alas, sir," replied Master Ciap-

pelletto, "I have one sin left, whereof I never yet confessed me, such shame have I to tell it; and every time I call it to mind, I weep, even as you see, and meseemeth very certain that God will never pardon it me." "Go to, son," rejoined the friar; "what is this thou sayest? If all the sins that were ever wrought or are yet to be wrought of all mankind, what while the world endureth, were all in one man and he repented him thereof and were contrite therefor, as I see thee, such is the mercy and lovingkindness of God that, upon confession, He would freely pardon them to him. Wherefore do thou tell it in all assurance." Quoth Master Ciappelletto, still weeping sore, "Alack, father mine, mine is too great a sin, and I can scarce believe that it will ever be forgiven me of God, except your prayers strive for me." Then said the friar, "Tell it me in all assurance, for I promise thee to pray God for thee."

Master Ciappelletto, however, still wept and said nought; but, after he had thus held the friar a great while in suspense, he heaved a deep sigh and said, "Father mine, since you promise me to pray God for me, I will e'en tell it you. Know, then, that, when I was little, I once cursed my mother." So saying, he fell again to weeping sore. "O my son," quoth the friar, "seemeth this to thee so heinous a sin? Why, men blaspheme God all day long and He freely pardoneth whoso repenteth him of having blasphemed Him; and deemest thou not He will pardon thee this? Weep not, but comfort thyself; for, certes, wert thou one of those who set Him on the cross, He would pardon thee, in favor of such contrition as I see in thee." "Alack, father mine, what say you?" replied Ciappelletto. "My kind mother, who bore me nine months in her body, day and night, and carried me on her neck an hundred times and more, I did passing ill to curse her and it was an exceeding great sin; and except you pray God for me, it will not be forgiven me."

The friar, then, seeing that Master Ciappelletto had no more to say, gave him absolution and bestowed on him his benison, holding him a very holy man and devoutly believing all that he had told him to be true. And who would not have believed it, hearing a man at the point of death speak thus? Then, after all this, he said to him, "Master Ciappelletto, with God's help you will speedily be whole; but, should it come to pass that God call your blessed and well-disposed soul to Himself, would it please you that your body be buried in our convent?" "Ay, would it, sir," replied Master Ciappelletto. "Nay, I would fain not be buried elsewhere, since you have promised to pray God for me; more by token that I have ever had a special regard for your order. Wherefore I pray you that whenas you return to your lodging, you must cause bring me that most veritable body of Christ, which you consecrate a-mornings upon the altar, for that, with your leave, I purpose (all unworthy as I am) to take it and after, holy and extreme unction, to the intent that, if I have lived as a

sinner, I may at the least die like a Christian." The good friar replied that it pleased him much and that he said well and promised to see it presently brought him; and so was it done.

Meanwhile, the two brothers, misdoubting them sore lest Master Ciappelletto should play them false, had posted themselves behind a wainscot, that divided the chamber where he lay from another, and listening, easily heard and apprehended that which he said to the friar and had whiles so great a mind to laugh, hearing the things which he confessed to having done, that they were like to burst and said one to other, "What manner of man is this, whom neither old age nor sickness nor fear of death, whereunto he seeth himself near, nor yet of God, before whose judgment-seat he looketh to be ere long, have availed to turn from his wickedness nor hinder him from choosing to die as he hath lived?" However, seeing that he had so spoken that he should be admitted to burial in a church, they recked nought of the rest.

Master Ciappelletto presently took the sacrament and, growing rapidly worse, received extreme unction, and a little after evensong of the day he had made his fine confession, he died; whereupon the two brothers, having, of his proper monies, taken order for his honorable burial, sent to the convent to acquaint the friars therewith, bidding them come thither that night to hold vigil, according to usance, and fetch away the body in the morning, and meanwhile made ready all that was needful thereunto.

The holy friar, who had shriven him, hearing that he had departed this life, betook himself to the prior of the convent and, letting ring to chapter, gave out to the brethren therein assembled that Master Ciappelletto had been a holy man according to that which he had gathered from his confession, and persuaded them to receive his body with the utmost reverence and devotion, in the hope that God should show forth many miracles through him. To this the prior and brethren credulously consented and that same evening, coming all whereas Master Ciappelletto lay dead, they held high and solemn vigil over him and on the morrow, clad all in albs and copes, book in hand and crosses before them, they went, chanting the while, for his body and brought it with the utmost pomp and solemnity to their church, followed by well nigh all the people of the city, men and women.

As soon as they had set the body down in the church, the holy friar, who had confessed him, mounted the pulpit and fell a-preaching marvellous things of the dead man and of his life, his fasts, his virginity, his simplicity and innocence and sanctity, recounting, amongst other things, that which he had confessed to him as his greatest sin and how he had hardly availed to persuade him that God would forgive it him; thence passing on to reprove the folk who hearkened, "And you, accursed that you are," quoth he, "for every waif of

straw that stirreth between your feet, you blaspheme God and the Virgin and all the host of heaven." Moreover, he told them many other things of his loyalty and purity of heart; brief, with his speech, whereto entire faith was yielded of the people of the city, he so established the dead man in the reverent consideration of all who were present that, no sooner was the service at an end, than they all with the utmost eagerness flocked to kiss his hands and feet and the clothes were torn off his back, he holding himself blessed who might avail to have never so little thereof; and needs must they leave him thus all that day, so he might be seen and visited of all.

The following night he was honorably buried in a marble tomb in one of the chapels of the church and on the morrow the folk began incontinent to come and burn candles and offer up prayers and make vows to him and hang images of wax at his shrine, according to the promise made. Nay, on such wise waxed the fame of his sanctity and men's devotion to him that there was scarce any who, being in adversity, would vow himself to another saint than him; and they styled and yet style him Saint Ciappelletto and avouch that God through him hath wrought many miracles and yet worketh them every day for whoso devoutly commendeth himself unto him.

Thus, then, lived and died Master Cepperello⁹ da Prato and became a saint, as you have heard; nor would I deny it to be possible that he is beatified in God's presence, for that, albeit his life was wicked and perverse, he may at his last extremity have shown such contrition that peradventure God had mercy on him and received him into His kingdom; but, for that this is hidden from us, I reason according to that which is apparent and say that he should rather be in the hands of the devil in perdition than in Paradise. And if so it be, we may know from this how great is God's lovingkindness towards us, which, having regard not to our error, but to the purity of our faith, whenas we thus make an enemy (deeming him a friend) of His our intermediary, giveth ear unto us, even as if we had recourse unto one truly holy, as intercessor for His favor. Wherefore, to the end that by His grace we may be preserved safe and sound in this present adversity and in this so joyous company, let us, magnifying His name, in which we have begun our diversion, and holding Him in reverence, commend ourselves to Him in our necessities, well assured of being heard.

⁹ [It will be noted that this is Boccaccio's third variant of his hero's name (the others being Ciapperello and Cepparello), and the edition of 1527 furnishes us with a fourth and a fifth form, that is, Ciepparello and Ciepperello.]

GIOVANNI PICO DELLA MIRANDOLA

NOWHERE DOES THERE EMERGE in the Italian Renaissance a more spectacular and elusive figure than Giovanni Pico, count of Mirandola (1463-94). The youngest member of a family which claimed descent from the Emperor Constantine, he was sent at fourteen to the University of Bologna, and after two years began to travel, going from one university to another and acquiring an enormous erudition. After seven years, at the age of twenty-three, he came to Rome, where he advertised that he would defend publicly against anyone in Europe a list of nine hundred theses or conclusions relating to virtually every field of learning, offering even to pay the traveling expenses of scholars coming from distant places. The disputation and the book containing the theses were prohibited by Pope Innocent VIII, though at a later date Pico was cleared of the charge of heresy by Alexander VI. The *Oration on the Dignity of Man* was to have been Pico's introductory speech for the disputation.

Pico's thought is a vast compound, derived from every age of man and from every leading thinker known. His intellectual appetite far transcends that of the ordinary humanistic ideal, which was limited to classical antiquity. He sought to master and absorb and harmonize the whole intellectual heritage of man: the Middle Ages and antiquity, Aristotle and Plato, Christian, Arabian, and Jewish philosophy, early Church Fathers and late scholastics, and a host of important individual thinkers from the earliest times. He endeavored to reconcile Moses and Plato, Christianity and paganism, mystical and theoretical thinking.

To see in Pico, as many have seen, only a motley of contradictory ideas and a confused eclecticism is to regard his studies simply as a collection of opinions and to miss the spirit of his outlook. He is at once Renaissance humanist and medieval scholastic—craving the wisdom of all schools but refusing to be limited by any one. The late Ernst Cassirer finds the clue to Pico in the latter's conception of man. Traditionally the highest value had been set on that which is enduring and unchangeable in man and the universe. For Pico, however, man's glory is his "self-transforming nature," his inner restlessness, his chameleonlike capacity to mold himself endlessly. Man's intellectual history is the very essence of his Protean nature, always changing and enriching itself. Hence Pico's passion for the whole diversity of human knowledge, for all the historical manifestations of the human spirit—these being the avenue to the understanding of human nature.

Pico's independence and perhaps his major contribution to the spirit of the Renaissance emerge in his conception of human freedom. With the medieval theologians he pictures man as created free. But here the parallelism ends. For the theologians man has lost his freedom forever as a result of his fall. Not his own will but only supernatural grace can raise him up again. Pico, however, affirms the unlimited potentialities of man and his capacity to achieve good or evil by his own power. Human sin never erases the possibility of rising once more; and in fact man must endlessly face the problem of fall and recovery, a consequence of his mutable nature and his restless quest of completion.

In Sir Thomas More's translation of a biography of Pico written by the latter's nephew, he is described as "of feature and shape seemly and beauteous, of stature goodly and high . . . his hair yellow and abundant." Stricken by a fever, Pico died at the age of thirty-one. Walter Pater happily defines the character of his humanism. "For the essence of humanism is that belief of which he never seems to have doubted, that nothing which has ever interested living men and women can wholly lose its vitality—no language they have spoken, nor oracle beside which they have hushed their voices, no dream which has once been entertained by actual human minds, nothing about which they have ever been passionate, or expended time and zeal."

The following selection is from Elizabeth Livermoore Forbes's translation from the Latin of Pico's *Oration*, which appeared in Ernst Cassirer *et al.* (eds.), *The Renaissance Philosophy of Man* (The University of Chicago Press; copyright 1948 by the University of Chicago).



ORATION ON THE DIGNITY OF MAN

I HAVE READ in the records of the Arabians, reverend Fathers, that Abdala the Saracen,¹ when questioned as to what on this stage of the world, as it were, could be seen most worthy of wonder, replied: "There is nothing to be seen more wonderful than man." In agreement with this opinion is the saying of Hermes Trismegistus: "A great miracle, Asclepius, is man." But when I weighed the reason for these maxims, the many grounds for the excellence of human nature reported by many men failed to satisfy me—that man is the intermediary between creatures, the intimate of the gods, the king of the lower beings, by the acuteness of his sense, by the discernment of his reason, and by the light of his intelligence the interpreter of nature, the interval between fixed eternity and fleeing time, and (as the Persians say) the bond, nay, rather, the marriage song of the world, on David's testimony but little lower than the angels. Admittedly great though these reasons be, they are not the principal grounds, that is, those which may rightfully claim for themselves the privilege of the highest admiration. For why should we not admire more the angels themselves and the blessed choirs of heaven? At last it seems to me I have come to understand why man is the most fortunate of creatures and consequently worthy of all admiration and what precisely is that rank which is his lot in the universal chain of Being—a rank to be envied not only by brutes but even by the stars and by minds beyond this world. It is a matter past faith and a wondrous one. Why should it not be? For it is on this very account that

¹ [*Abdala*, that is, *Abd Allah*, probably the cousin of Mohammed.]

man is rightly called and judged a great miracle and a wonderful creature indeed.

But hear, Fathers, exactly what this rank is and, as friendly auditors, conformably to your kindness, do me this favor. God the Father, the supreme Architect, had already built this cosmic home we behold, the most sacred temple of His godhead, by the laws of His mysterious wisdom. The region above the heavens He had adorned with Intelligences, the heavenly spheres He had quickened with eternal souls, and the excrementary and filthy parts of the lower world He had filled with a multitude of animals of every kind. But, when the work was finished, the Craftsman kept wishing that there were someone to ponder the plan of so great a work, to love its beauty, and to wonder at its vastness. Therefore, when everything was done (as Moses and Timaeus bear witness), He finally took thought concerning the creation of man. But there was not among His archetypes that from which He could fashion a new offspring, nor was there in His treasure-houses anything which He might bestow on His new son as an inheritance, nor was there in the seats of all the world a place where the latter might sit to contemplate the universe. All was now complete; all things had been assigned to the highest, the middle, and the lowest orders. But in its final creation it was not the part of the Father's power to fail as though exhausted. It was not the part of His wisdom to waver in a needful matter through poverty of counsel. It was not the part of His kindly love that he who was to praise God's divine generosity in regard to others should be compelled to condemn it in regard to himself.

At last the best of artisans ordained that that creature to whom He had been able to give nothing proper to himself should have joint possession of whatever had been peculiar to each of the different kinds of being. He therefore took man as a creature of indeterminate nature and, assigning him a place in the middle of the world, addressed him thus: "Neither a fixed abode nor a form that is thine alone nor any function peculiar to thyself have we given thee, Adam, to the end that according to thy longing and according to thy judgment thou mayest have and possess what abode, what form, and what functions thou thyself shalt desire. The nature of all other beings is limited and constrained within the bounds of laws prescribed by Us. Thou, constrained by no limits, in accordance with thine own free will, in whose hand We have placed thee, shalt ordain for thyself the limits of thy nature. We have set thee at the world's center that thou mayest from thence more easily observe whatever is in the world. We have made thee neither of heaven nor of earth, neither mortal nor immortal, so that with freedom of choice and with honor, as though the maker and molder of thyself, thou mayest fashion thyself in whatever shape thou shalt prefer. Thou shalt have the power to degenerate into the lower

forms of life, which are brutish. Thou shalt have the power, out of thy soul's judgment, to be reborn into the higher forms, which are divine."

O supreme generosity of God the Father, O highest and most marvelous felicity of man! To him it is granted to have whatever he chooses, to be whatever he wills. Beasts as soon as they are born (so says Lucilius) bring with them from their mother's womb all they will ever possess. Spiritual beings, either from the beginning or soon thereafter, become what they are to be for ever and ever. On man when he came into life the Father conferred the seeds of all kinds and the germs of every way of life. Whatever seeds each man cultivates will grow to maturity and bear in him their own fruit. If they be vegetative, he will be like a plant. If sensitive, he will become brutish. If rational, he will grow into a heavenly being. If intellectual, he will be an angel and the son of God. And if, happy in the lot of no created thing, he withdraws into the center of his own unity, his spirit, made one with God, in the solitary darkness of God, Who is set above all things, shall surpass them all. Who would not admire this our chameleon? Or who could more greatly admire aught else whatever? It is man who Asclepius of Athens, arguing from his mutability of character and from his self-transforming nature, on just grounds says was symbolized by Proteus in the mysteries. Hence those metamorphoses renowned among the Hebrews and the Pythagoreans.

For the occult theology of the Hebrews sometimes transforms the holy Enoch into an angel of divinity whom they call "Mal'akh Adonay Shebaoth"² and sometimes transforms others into other divinities. The Pythagoreans degrade impious men into brutes and, if one is to believe Empedocles, even into plants. Mohammed, in imitation, often had this saying on his tongue: "They who have deviated from divine law become beasts," and surely he spoke justly. For it is not the bark that makes the plant but its senseless and insentient nature; neither is it the hide that makes the beast of burden but its irrational, sensitive soul; neither is it the orbed form that makes the heavens but its un-deviating order; nor is it the sundering from body but his spiritual intelligence that makes the angel. For if you see one abandoned to his appetites crawling on the ground, it is a plant and not a man you see; if you see one blinded by the vain illusions of imagery, as it were of Calypso, and, softened by their gnawing allurements, delivered over to his senses, it is a beast and not a man you see. If you see a philosopher determining all things by means of right reason, him you shall reverence: he is a heavenly being and not of this earth. If you see a pure contemplator, one unaware of the body and confined to the inner reaches of the mind, he is neither an earthly nor a heavenly being; he is a more reverend divinity vested with human flesh.

² [*Angel of the Lord of Hosts.*]

Are there any who would not admire man, who is, in the sacred writings of Moses and the Christians, not without reason described sometimes by the name of "all flesh," sometimes by that of "every creature," inasmuch as he himself molds, fashions, and changes himself into the form of all flesh and into the character of every creature? For this reason the Persian Euanthes, in describing the Chaldaean theology, writes that man has no semblance that is in-born and his very own but many that are external and foreign to him; whence this saying of the Chaldaeans: "Hanorish tharah sharinas," that is, "Man is a being of varied, manifold, and inconstant nature. But why do we emphasize this? To the end that after we have been born to this condition—that we can become what we will—we should understand that we ought to have especial care to this, that it should never be said against us that, although born to a privileged position, we failed to recognize it and became like unto wild animals and senseless beasts of burden but that rather the saying of Asaph the prophet should apply: "Ye are all angels and sons of the Most High," and that we may not, by abusing the most indulgent generosity of the Father, make for ourselves that freedom of choice He has given into something harmful instead of salutary. Let a certain holy ambition invade our souls, so that, not content with the mediocre, we shall pant after the highest and (since we may if we wish) toil with all our strength to obtain it.

Let us disdain earthly things, condemn astral things, and, finally, esteeming less whatever is of the world, hasten to that court which is beyond the world and nearest to the Godhead. There, as the sacred mysteries relate, Seraphim, Cherubim, and Thrones hold the first places; let us, incapable of yielding to them, and intolerant of a lower place, emulate their dignity and their glory. If we have willed it, we shall be second to them in nothing. . . .

But by what means is one able either to judge or to love things unknown? Moses loved a God whom he saw and, as judge, administered among the people what he had first beheld in contemplation upon the mountain. Therefore, the Cherub as intermediary by his own light makes us ready for the Seraphic fire and equally lights the way to the judgment of the Thrones. This is the bond of the first minds, the Palladian order, the chief of contemplative philosophy. This is the one for us first to emulate, to court, and to understand; the one from whence we may be rapt to the heights of love and descend, well taught and well prepared, to the functions of active life. But truly it is worth while, if our life is to be modeled on the example of the Cherubic life, to have before our eyes and clearly understood both its nature and its quality and those things which are the deeds and the labor of Cherubs. But since it is not permitted us to attain this through our own efforts, we who are but flesh and know of the things of earth, let us go to the ancient fathers who, inasmuch as they

were familiar and conversant with these matters, can give sure and altogether trustworthy testimony. Let us consult the Apostle Paul, the chosen vessel, as to what he saw the hosts of Cherubim doing when he was himself exalted to the third heaven. He will answer, according to the interpretation of Dionysius,³ that he saw them being purified, then being illuminated, and at last being made perfect. Let us also, therefore, by emulating the Cherubic way of life on earth, by taming the impulses of our passions with moral science, by dispelling the darkness of reason with dialectic, and by, so to speak, washing away the filth of ignorance and vice, cleanse our soul, so that her passions may not rave at random or her reason through heedlessness ever be deranged.

Then let us fill our well-prepared and purified soul with the light of natural philosophy, so that we may at last perfect her in the knowledge of things divine. And lest we be satisfied with those of our faith, let us consult the patriarch Jacob, whose form gleams carved on the throne of glory. Sleeping in the lower world but keeping watch in the upper, the wisest of fathers will advise us. But he will advise us through a figure (in this way everything was wont to come to those men) that there is a ladder extending from the lowest earth to the highest heaven, divided in a series of many steps, with the Lord seated at the top, and angels in contemplation ascending and descending over them alternately by turns. . . .

But indeed not only the Mosaic and Christian mysteries but also the theology of the ancients show us the benefits and value of the liberal arts, the discussion of which I am about to undertake. For what else did the degrees of the initiates observed in the mysteries of the Greeks mean? For they arrived at a perception of the mysteries when they had first been purified through those expiatory sciences, as it were, moral philosophy and dialectic. What else can that perception possibly be than an interpretation of occult nature by means of philosophy? Then at length to those who were so disposed came that *επιοριτεία*,⁴ that is to say, the observation of things divine by the light of theology. Who would not long to be initiated into such sacred rites? Who would not desire, by neglecting all human concerns, by despising the goods of fortune, and by disregarding those of the body, to become the guest of the gods while yet living on earth, and, made drunk by the nectar of eternity, to be endowed with the gifts of immortality though still a mortal being? Who would not wish to be so inflamed with those Socratic frenzies sung by Plato in the *Phaedrus*, that, by the oarage of feet and wings escaping speedily from hence, that is, from a world set on evil, he might be borne on the fastest of courses to the heavenly

³ [Dionysius the Areopagite. The writings current under that name, composed by an unknown author probably about A.D. 500, were long attributed to Dionysius, the disciple of Paul, and hence enjoyed an enormous authority.]

⁴ [Initiation in the Eleusinian mysteries.]

Jerusalem? Let us be driven, Fathers, let us be driven by the frenzies of Socrates, that they may so throw us into ecstasy as to put our mind and ourselves in God. Let us be driven by them, if we have first done what is in our power. For if through moral philosophy the forces of our passions have by a fitting agreement become so intent on harmony that they can sing together in undisturbed concord, and if through dialectic our reason has moved progressively in a rhythmical measure, then we shall be stirred by the frenzy of the Muses and drink the heavenly harmony with our inmost hearing. Thereupon Bacchus, the leader of the Muses, by showing in his mysteries, that is, in the visible signs of nature, the invisible things of God to us who study philosophy, will intoxicate us with the fulness of God's house, in which, if we prove faithful, like Moses, hallowed theology shall come and inspire us with a doubled frenzy. For, exalted to her lofty heights, we shall measure therefrom all things that are and shall be and have been in indivisible eternity; and, admiring their original beauty, like the seers of Phoebus, we shall become her own winged lovers. And at last, roused by ineffable love as by a sting, like burning Seraphim rapt from ourselves, full of divine power we shall no longer be ourselves but shall become He Himself Who made us.

PIETRO POMPONAZZI

THE RENAISSANCE had its Aristotle as well as its Plato. Pietro Pomponazzi (1462-1525), a representative of the new Aristotelianism, belongs from one point of view directly in the scholastic tradition. The problems of the schoolmen were the problems that concerned him, and Aristotle was his master no less than theirs. And yet he is a herald of new ways of thinking. Like the others of his age who sought to know the classics of the ancient world in a fresh light, he tried to rediscover, in text and in spirit, an Aristotle who lay buried beneath generations of commentary, translation, and assimilation to the Christian viewpoint. It is Aristotle the student of nature that Pomponazzi's interpretation reflects, and from the interpretation he draws important and independent consequences.

When Aristotle discussed the problem of the nature of the soul, he approached it in terms not of a reality mysterious and utterly unique but of a biological phenomenon in the natural world. The soul or psyche of a living thing he defined as its basic character, the way in which it functioned. The soul of man is the process of living and thinking, the process that makes him man and not just any animal at all. The soul is related to the body as the power of cutting to the knife, or the power of seeing to the eye. It can no more exist without the body than can seeing without the eyeball or cutting without the blade. The Arabian, Jewish, and Christian theologians of the Middle Ages, faced by the problem of reconciling Aristotle with dogma, developed a variety of interpretations of his psychology, all attempting to mitigate its suggestion of the mortality of the soul. Their efforts were largely based on certain obscure passages which, looked at from one viewpoint, seemed to depart from the naturalistic approach and to permit the conclusion that at least the rational part of the soul did not perish with the body. One tradition, developing under the influence of the Arabian philosopher Averroes, and subsequently known as Averroism, understood Aristotle to admit immortality for human reason in the abstract but to deny it to the individual human soul. St. Thomas Aquinas, on the other hand, found it possible to draw from Aristotle an argument for individual immortality.

By the time Pomponazzi wrote his *On the Immortality of the Soul* (1516) the Church had condemned Averroism, accepted the Thomistic view, and had come to regard even a new discussion of the problem as a dangerous heresy. In spite of this, Pomponazzi undertook his independent examination of Aristotle, opposing both Thomas and Averroes, and concluding that there was no evidence for an interpretation that allowed the soul a separate and hence immortal existence. The book aroused a storm of controversy and criticism, and was burned at Venice. The controversy did not center in Pomponazzi's denial of rational grounds for believing in immortality, but in his denial that Aristotle had taught it. This was a far greater offense; for it threatened to undermine what had come to be accepted as the very foundation, in Aristotle and Thomas, of the Church's own dogma. Pomponazzi's work never faced trial; Pietro Bembo (later Cardinal Bembo), secre-

tary to Pope Leo X, had the charges dismissed. Not long afterward Pomponazzi wrote two treatises in further elaboration of his position.

Of greater importance, perhaps, for modern thought than his views on the soul are the ethical implications which Pomponazzi draws. If the soul be supposed mortal, ran the usual argument, morality is destroyed and men who see no future reward for their acts are encouraged to be lax and even evil. Not only does Pomponazzi deny that the assumption of mortality entails this consequence, but he boldly maintains that it is more consistent with the doing of good than is the traditional assumption. His reasons are given in the brief selection that follows, which is taken from the translation from the Latin by William Henry Hay (Haverford, Pa., Haverford College, 1938).



ON THE IMMORTALITY OF THE SOUL

IT MUST BE CONSIDERED that many men have thought that the soul was mortal, who nevertheless have written that it is immortal; but have done this on account of the proneness to evil of men who have little or no intellect, and neither recognizing nor loving the good things of the soul, spend their time only on bodily things. Wherefore it is necessary to correct them by this sort of device, just as a doctor behaves toward a sick man, and a nurse to a child lacking reason.

By these, as I think, other things also can be solved. For, although it is commonly said that, if the soul is mortal, man ought to give himself over completely to bodily pleasures, to commit all evils for his own use, and that it would be futile to worship God, to honor divine things, to pour forth prayers to God, to make sacrifices, and the rest of this sort, the answer is plain enough by what has been said. For since happiness is naturally sought and misery avoided, and by what has been said happiness consists in virtuous action, but misery in sinful action, since to worship God with the mind, to honor divine things, to pour out prayers to God, to sacrifice are actions particularly virtuous, therefore we ought to strive with all our strength to the acquisition of those. But on the contrary, thefts, robberies, murders, a life of pleasure are sins, which make man turn into a beast and cease to be a man; therefore we ought to abstain from these. And notice that one who works conscientiously, not expecting any reward other than virtue, seems to work far more virtuously and more ingenuously than he who expects some reward beyond virtue; and he who shuns sin on account of the foulness of sin, not because of the fear of punishment owed for sin, seems rather to be praised than he who avoids sin because of the fear of punishment, as in the verses:

The good hate to sin from love of virtue,
The evil hate to sin from fear of punishment.

Wherefore those more perfectly asserting that the soul is mortal seem better to preserve the principle of virtue than those who assert that it is immortal. For hope of reward and fear of punishment seem to bring a certain servility, which is contrary to the nature of virtue.

For a complement of this opinion it must be known that, as Aristotle teaches in the books *De generatione animalium*,¹ nature proceeds step by step, and in an orderly fashion, so that it does not join an extreme immediately with an extreme, but an extreme with a mean. For we see that between grasses and trees mediate shrubs; between vegetables and animals are immoveable animate things, as oysters and the rest of this sort; and so on ascending further. The blessed Dionysius supports that in the seventh chapter of *De divinis nominibus*,² when he says that the divine wisdom joins the ends of things above to the beginnings of things below. Man, moreover, as has been said, is the most perfect of animals; wherefore since the human soul obtains first place among material things, therefore it will be joined with immaterial things, and is halfway between material and immaterial things. But a mean compared to the extremes is called the other of the extremes; wherefore compared to immaterial things it can be called material; and in respect to material things, immaterial. Nor does it deserve only those names, but also participates in the properties of the extremes: for green compared to white is not only called black; but also gathers sight like black, although not so intensely. Wherefore also the human soul has some of the properties of the intelligences and has some of the properties of all material things; whence it is that, when it performs functions with which it agrees with the intelligences, it is said to be divine and to be changed into Gods; but when it performs functions of the beasts, it is said to be changed into beasts; for on account of evil it is called a serpent or a fox, on account of cruelty a tiger, and so of the rest. For there is nothing in the world that on account of some property cannot agree with man himself; wherefore not undeservedly is man called the microcosm or the little world. Therefore some have said that man is a great marvel, since he is the whole world and convertible into every nature, since power has been given him to attain whatever property he may prefer. Therefore the ancients rightly mythologized when they said that some men had been made Gods, some lions, some wolves, some eagles, some fishes, some plants, some rocks, and so of the rest; since some men have attained intellect, some sense, some the powers of the vegetative soul: and so of the rest.

¹ [On the Generation of Animals.]

² [On Divine Names.]

Therefore whoever place bodily pleasures before moral or intellectual virtues make man a beast rather than a God; those who put riches first make man gold: wherefore some are to be called beasts, some insensate. Therefore, although the soul is mortal, the virtues are not to be despised, and pleasures sought, unless one prefers to be a beast than a man, and insensate than sensate or knowing. Nevertheless one ought to know that however much man thus participates in the material and the immaterial, yet he is properly said to participate in the immaterial, because he lacks much of immateriality; but he is not properly said to participate in animals and vegetables, but to contain them, for he is below immaterial things and is above material. Wherefore he cannot arrive at the perfection of immaterial things: whence they are not called Gods, but god-like or divine. But man can not only make himself equal to a beast, nay even surpass a beast; for some men exist far crueller than any beasts, as Aristotle says in the seventh book of *Ethica*: "an evil man is ten thousand times worse than a beast." And just as it was said of cruelty, so it may be said of the other vices. Since, therefore, sin is so foul, the life of a sinful man so unjust, but the contrary with virtue, who, therefore, even if the soul be mortal, would rather choose sin than virtue, unless he preferred to be a beast or worse than a beast?

THE VERONESE INQUISITION

FOR A PAINTING of "The Supper at the House of Simon," Paolo Veronese (1528-88) was called before the court of the Inquisition at Venice. The selection below, an excerpt from the report of the trial, illustrates a contrast in attitudes. To Veronese the task of painting for the refectory of a monastery a supper scene according to a Biblical subject was simply the means of contriving a luxurious feast in contemporary dress, replete with contemporary notables of European politics or art. The mere existence of an Inquisition trial hardly means that procedures of this kind were not taken for granted, or that the Inquisition sitting at Venice did not have its own characteristics adapted to local and contemporary circumstances. But the basic opposition of outlooks cannot be obscured. It can be felt as well as seen in the following piece that the questions are such as would be expected to stem from the Catholic revival of the later sixteenth century and that the answers would be made by any man who mirrored the humanistic interests of an increasingly secularized age. Evidence, incidentally, indicates that despite the verdict rendered, the picture was never "corrected."

The selection is taken from F. M. Crawford, *Salve Venetia* (New York, 1906), II, 29-34.



REPORT OF THE SITTING OF THE TRIBUNAL OF THE INQUISITION ON SATURDAY, JULY EIGHTEENTH, 1573

THIS DAY, July eighteenth, 1573. Called to the Holy Office before the sacred tribunal, Paolo Galliari Veronese, residing in the parish of Saint Samuel, and being asked as to his name and surname, replied as above.

Being asked as to his profession:

Answer. I paint and make figures.

Question. Do you know the reasons why you have been called here?

A. No.

Q. Can you imagine what those reasons may be?

A. I can well imagine.

Q. Say what you think about them.

A. I fancy that it concerns what was said to me by the reverend fathers, or rather by the prior of the monastery of San Giovanni e Paolo, whose name I did not know, but who informed me that he had been here, and that your

Most Illustrious Lordships had ordered him to cause to be placed in the picture a Magdalen instead of the dog; and I answered him that very readily I would do all that was needful for my reputation and for the honour of the picture; but that I did not understand what this figure of the Magdalen could be doing here. . . .

Q. In this Supper . . . what signifies the figure of him whose nose is bleeding?

A. He is a servant who has a nose-bleed from some accident.

Q. What signify those armed men dressed in the fashion of Germany, with halberds in their hands?

A. It is necessary here that I should say a score of words.

Q. Say them.

A. We painters use the same license as poets and madmen, and I represented those halberdiers, the one drinking, the other eating at the foot of the stairs, but both ready to do their duty, because it seemed to me suitable and possible that the master of the house, who as I have been told was rich and magnificent, should have such servants.

Q. And the one who is dressed as jester with a parrot on his wrist, why did you put him into the picture?

A. He is there as an ornament, as it is usual to insert such figures.

Q. Who are the persons at the table of Our Lord?

A. The twelve apostles.

Q. What is Saint Peter doing, who is the first?

A. He is carving the lamb, in order to pass it to the other table.

Q. What is he doing who comes next?

A. He holds a plate to see what Saint Peter will give him.

Q. Tell us what the third is doing.

A. He is picking his teeth with his fork.

Q. And who are really the persons whom you admit to have been present at this Supper?

A. I believe that there was only Christ and His Apostles; but when I have some space left in a picture I adorn it with figures of my own invention.

Q. Did some person order you to paint Germans, buffoons, and other similar figures in this picture?

A. No, but I was commissioned to adorn it as I thought proper; now it is very large and can contain many figures.

Q. Should not the ornaments which you were accustomed to paint in pictures be suitable and in direct relation to the subject, or are they left to your fancy, quite without discretion or reason?

A. I paint my pictures with all the considerations which are natural to my intelligence, and according as my intelligence understands them.

Q. Does it seem suitable to you, in the Last Supper of our Lord, to represent buffoons, drunken Germans, dwarfs, and other such absurdities?

A. Certainly not.

Q. Then why have you done it?

A. I did it on the supposition that those people were outside the room in which the Supper was taking place.

Q. Do you not know that in Germany and other countries infested by heresy, it is habitual, by means of pictures full of absurdities, to vilify and turn to ridicule the things of the Holy Catholic Church, in order to teach false doctrine to ignorant people who have no common sense?

A. I agree that it is wrong, but I repeat what I have said, that it is my duty to follow the examples given me by my masters.

Q. Well, what did your masters paint? Things of this kind, perhaps?

A. In Rome, in the Pope's Chapel, Michel Angelo has represented Our Lord, His Mother, St. John, St. Peter, and the celestial court; and he has represented all these personages nude, including the Virgin Mary, and in various attitudes not inspired by the most profound religious feeling.

Q. Do you not understand that in representing the Last Judgment, in which it is a mistake to suppose that clothes are worn, there was no reason for painting any? But in these figures what is there that is not inspired by the Holy Spirit? There are neither buffoons, dogs, weapons, nor other absurdities. Do you think therefore, according to this or that view, that you did well in so painting your picture, and will you try to prove that it is a good and decent thing?

A. No, my most Illustrious Sirs; I do not pretend to prove it, but I had not thought that I was doing wrong; I had never taken so many things into consideration. I had been far from imagining such a great disorder, all the more as I had placed these buffoons outside the room in which Our Lord was sitting.

These things having been said, the judges pronounced that the aforesaid Paolo should be obliged to correct his picture within the space of three months from the date of the reprimand, according to the judgments and decision of the Sacred Court, and altogether at the expense of the said Paolo.

Et ita decreverunt omni melius modo. (And so they decided everything for the best!)

BALDASSARE CASTIGLIONE

THE RISE of the commercial towns in Italy with the attendant incursion of strong princes gave to the feudal lord and knight a new vocation. Attaching himself to the court of a powerful prince he grafted on to the traditional virtues of the knight the new and many-sided qualities of the courtier. What gentlemen of leisure there are left today illustrate the persistence of this courtly tradition. The courtier's virtues were those of the graceful knight, the artful speaker, the patron of the arts gifted in his own right, the loyal friend, the passionate and Platonic lover.

No book has defined the gentleman so precisely as *The Book of the Courtier*, by Baldassare Castiglione (1478-1529). Himself a model courtier, he served the duke of Milan, and from 1504 to 1508 he was a member of the court of the duke of Urbino. *The Book of the Courtier* reports the conversations held in the court of this nobleman, purportedly in March, 1507. Besides being a minute analysis of courtly virtues, Castiglione's work is a vivid rendition of the atmosphere and life of such a court, and suggests the new interests of the changing world in which it had its basis. The recognition, by the young Lord Gaspar Pallavicin, for example, that gentle birth is important but hardly necessary for the courtier reflects the expanding opportunities of the period; and the turning to Platonism is characteristic of the way in which the classics were used for the articulation of new interests and experiences.

The following translation from the Italian is by L. E. Opdycke (New York, Charles Scribner's Sons, 1903).



BOOK OF THE COURTIER

[Book I]

[COUNT LUDOVICO DA CANOSSA said:] . . . I believe that there exists in everything its own perfection, although concealed; and that this can be determined through rational discussion by any having knowledge of the thing in hand. And since, as I have said, the truth often lies concealed, and I do not profess to have this knowledge, I can only praise the kind of Courtier that I most esteem, and approve him who seems to me nearest right, according to my poor judgment; the which you will follow if you find it good, or you will hold to your own if it differs from mine. Nor shall I at all insist that mine is better than yours; not only because you may think one thing and I another, but I myself may sometimes think one thing, and sometimes another.

I wish, then, that this Courtier of ours should be nobly born and of gentle race; because it is far less unseemly for one of ignoble birth to fail in worthy deeds, than for one of noble birth, who, if he strays from the path of his predecessors, stains his family name, and not only fails to achieve but loses what has been achieved already; for noble birth is like a bright lamp that manifests and makes visible good and evil deeds, and kindles and stimulates to virtue both by fear of shame and by hope of praise. And since this splendour of nobility does not illumine the deeds of the humbly born, they lack that stimulus and fear of shame, nor do they feel any obligation to advance beyond what their predecessors have done; while to the nobly born it seems a reproach not to reach at least the goal set them by their ancestors. And thus it nearly always happens that both in the profession of arms and in other worthy pursuits the most famous men have been of noble birth, because nature has implanted in everything that hidden seed which gives a certain force and quality of its own essence to all things that are derived from it, and makes them like itself: as we see not only in the breeds of horses and of other animals, but also in trees, the shoots of which nearly always resemble the trunk; and if they sometimes degenerate, it arises from poor cultivation. And so it is with men who if rightly trained are nearly always like those from whom they spring, and often better; but if there be no one to give them proper care, they become like savages and never reach perfection.

It is true that, by favour of the stars or of nature, some men are endowed at birth with such graces that they seem not to have been born, but rather as if some god had formed them with his very hands and adorned them with every excellence of mind and body. So too there are many men so foolish and rude that one cannot but think that nature brought them into the world out of contempt or mockery. Just as these can usually accomplish little even with constant diligence and good training, so with slight pains those others reach the highest summit of excellence. And to give you an instance: you see my lord Don Ippolito d'Este, Cardinal of Ferrara, who has enjoyed such fortune from his birth, that his person, his aspect, his words and all his movements are so disposed and imbued with this grace, that—although he is young—he exhibits among the most aged prelates such weight of character that he seems fitter to teach than to be taught; likewise in conversation with men and women of every rank, in games, in plesantry and in banter, he has a certain sweetness and manners so gracious, that whoso speaks with him or even sees him, must needs remain attached to him forever.

But to return to our subject: I say that there is a middle state between perfect grace on the one hand and senseless folly on the other; and those who are not thus perfectly endowed by nature, with study and toil can in great part polish

and amend their natural defects. Besides his noble birth, then, I would have the Courtier favoured in this regard also, and endowed by nature not only with talent and beauty of person and feature, but with a certain grace and (as we say) air that shall make him at first sight pleasing and agreeable to all who see him; and I would have this an ornament that should dispose and unite all his actions, and in his outward aspect give promise of whatever is worthy the society and favour of every great lord.

Here, without waiting longer, my lord Gaspar Pallavicino said:

In order that our game may have the form prescribed, and that we may not seem to slight the privilege given us to contradict, I say that this nobility of birth does not appear to me so essential in the Courtier; and if I thought I were saying what was new to any of us, I should cite instances of many men born of the noblest blood who have been full of vices; and on the other hand, of many men among the humbly born who by their virtue have made their posterity illustrious. And if what you just said be true, namely that there is in everything this occult influence of the original seed, then we should all be in the same case, because we had the same origin, nor would any man be more noble than another. But as to our differences and grades of eminence and obscurity, I believe there are many other causes: among which I rate fortune to be chief; for we see her holding sway in all mundane affairs, often amusing herself by lifting to heaven whom she pleases (although wholly without merit), and burying in the depths those most worthy to be exalted.

I quite agree with what you say as to the good fortune of those endowed from birth with advantages of mind and body: but this is seen as well among the humbly born as among the nobly born, since nature has no such subtle distinctions as these; and often, as I said, the highest gifts of nature are found among the most obscure. Therefore, since this nobility of birth is won neither by talent nor by strength nor by craft, and is rather the merit of our predecessors than our own, it seems to me too extravagant to maintain that if our Courtier's parents be humbly born, all his good qualities are spoiled, and that all those other qualifications that you mentioned do not avail to raise him to the summit of perfection; I mean talent, beauty of feature, comeliness of person, and that grace which makes him always charming to everyone at first sight. . . ."

[Count Ludovico said:] But to come to some details, I am of opinion that the principal and true profession of the Courtier ought to be that of arms; which I would have him follow actively above all else, and be known among others as bold and strong, and loyal to whomsoever he serves. And he will win a reputation for these good qualities by exercising them at all times and in all

places, since one may never fail in this without severest censure. And just as among women, their fair name once sullied never recovers its first lustre, so the reputation of a gentleman who bears arms, if once it be in the least tarnished with cowardice or other disgrace, remains forever infamous before the world and full of ignominy. Therefore the more our Courtier excels in this art, the more he will be worthy of praise; and yet I do not deem essential in him that perfect knowledge of things and those other qualities that befit a commander; since this would be too wide a sea, let us be content, as we have said, with perfect loyalty and unconquered courage, and that he be always seen to possess them. For the courageous are often recognized even more in small things than in great; and frequently in perils of importance and where there are many spectators, some men are to be found who, although their hearts be dead within them, yet, moved by shame or by the presence of others, press forward almost with their eyes shut, and do their duty God knows how. While on occasions of little moment, when they think they can avoid putting themselves in danger without being detected, they are glad to keep safe. But those who, even when they do not expect to be observed or seen or recognized by anyone, show their ardour and neglect nothing, however paltry, that may be laid to their charge,—they have that strength of mind which we seek in our Courtier.

Not that we would have him look so fierce, or go about blustering, or say that he has taken his cuirass to wife, or threaten with those grim scowls that we have often seen in Berto; because to such men as this, one might justly say that which a brave lady jestingly said in gentle company to one whom I will not name at present; who, being invited by her out of compliment to dance, refused not only that, but to listen to the music, and many other entertainments proposed to him,—saying always that such silly trifles were not his business; so that at last the lady said, "What is your business, then?" He replied with a sour look, "To fight." Then the lady at once said, "Now that you are in no war and out of fighting trim, I should think it were a good thing to have yourself well oiled, and to stow yourself with all your battle harness in a closet until you be needed, lest you grow more rusty than you are"; and so, amid much laughter from the bystanders, she left the discomfited fellow to his silly presumption.

Therefore let the man we are seeking, be very bold, stern, and always among the first, where the enemy are to be seen; and in every other place, gentle, modest, reserved, above all things avoiding ostentation and that impudent self-praise by which men ever excite hatred and disgust in all who hear them. . . .

I think that what is chiefly important and necessary for the Courtier, in order to speak and write well, is knowledge; for he who is ignorant and has nothing in his mind that merits being heard, can neither say it nor write it.

Next he must arrange in good order what he has to say or write; then express it well in words, which (if I do not err) ought to be precise, choice, rich and rightly formed, but above all, in use even among the masses; because such words as these make the grandeur and pomp of speech, if the speaker has good sense and carefulness, and knows how to choose the words most expressive of his meaning, and to exalt them, to mould them like wax to his will, and to arrange them in such position and order that they shall at a glance show and make known their dignity and splendour, like pictures placed in good and proper light.

And this I say as well of writing as of speaking: in which however some things are required that are not needful in writing,—such as a good voice, not too thin and soft like a woman's, nor yet so stern and rough as to smack of the rustic's,—but sonorous, clear, sweet and well sounding, with distinct enunciation, and with proper bearing and gestures; which I think consist in certain movements of the whole body, not affected or violent, but tempered by a calm face and with a play of the eyes that shall give an effect of grace, accord with the words, and as far as possible express also, together with the gestures, the speaker's intent and feeling.

But all these things would be vain and of small moment, if the thoughts expressed by the words were not beautiful, ingenious, acute, elegant and grave,—according to the need.

Then my lord Morello said:

If this Courtier speaks with so much elegance and grace, I doubt if anyone will be found among us who will understand him.

Nay, he will be understood by everyone, replied the Count, because facility is no impediment to elegance.

Nor would I have him speak always of grave matters, but of amusing things, of games, jests and waggery, according to the occasion; but sensibly of everything, and with readiness and lucid fullness: and in no place let him show vanity or childish folly. And again when he is speaking on an obscure or difficult subject, I would have him carefully explain his meaning with precision of both word and thought, and make every ambiguity clear and plain with a certain touch of unpedantic care. Likewise, where there is occasion, let him know how to speak with dignity and force, to arouse those emotions that are part of our nature, and to kindle them or to move them according to the need. Sometimes, with that simple candour that makes it seem as if nature herself were speaking, let him know how to soften them, and as it were to in-

toxicate them with sweetness, and so easily withal that the listener shall think that with very little effort he too could reach that excellencce, and when he tries, shall find himself very far behind.

In such fashion would I have our Courtier speak and write; and not only choose rich and elegant words from every part of Italy, but I should even praise him for sometimes using some of those French and Spanish terms that are already accepted by our custom. . . .

I would have him more than passably accomplished in letters, at least in those studies that are called the humanities, and conversant not only with the Latin language but with the Greek, for the sake of the many different things that have been admirably written therein. Let him be well versed in the poets, and not less in the orators and historians, and also proficient in writing verse and prose, especially in this vulgar tongue of ours; for besides the enjoyment he will find in it, he will by this means never lack agreeable entertainment with ladies, who are usually fond of such things. And if other occupations or want of study prevent his reaching such perfection as to render his writings worthy of great praise, let him be careful to suppress them so that others may not laugh at him, and let him show them only to a friend whom he can trust: because they will at least be of this service to him, that the exercise will enable him to judge the work of others. For it very rarely happens that a man who is not accustomed to write, however learned he may be, can ever quite appreciate the toil and industry of writers, or taste the sweetness and excellence of style, and those latent niceties that are often found in the ancients.

[*Book IV*]

[The Lord Ottaviano, Doge of Genoa, said:] . . . To pursue these gentlemen's discourse, which I wholly approve and confirm, I say that of the things that we call good, there are some which simply and in themselves are always good, like temperance, fortitude, health, and all the virtues that bestow tranquillity upon the mind; others which are good in various respects and for the object to which they tend, like law, liberality, riches, and other like things. Hence I think that the perfect Courtier, such as Count Ludovico and messer Federico have described, may be a truly good thing and worthy of praise, not however simply and in himself, but in respect to the end to which he may be directed. For indeed if by being nobly born, graceful, agreeable, and expert in so many exercises, the Courtier brought forth no other fruit than merely being what he is, I should not deem it right for a man to devote so much study and pains to acquiring this perfection of Courtiership, as anyone must who wishes to attain it. Nay, I should say that many of those accomplishments that have been

ascribed to him (like dancing, merrymaking, singing and playing) were follies and vanities, and in a man of rank worthy rather of censure than of praise: for these elegances, devices, mottoes, and other like things that pertain to discourse about women and love, although perhaps many other men think the contrary, often serve only to effeminate the mind, to corrupt youth, and to reduce it to great wantonness of living; whence then it comes to pass that the Italian name is brought into opprobrium, and but few are to be found who dare, I will not say to die, but even to run into danger.

And surely there are countless other things, which, if industry and study were spent upon them, would be of much greater utility in both peace and war than this kind of Courtiership in itself merely; but if the Courtier's actions are directed to that good end to which they ought, and which I have in mind, methinks they are not only not harmful or vain, but very useful and deserving of infinite praise.

I think then that the aim of the perfect Courtier, which has not been spoken of till now, is so to win for himself, by means of the accomplishments ascribed to him by these gentlemen, the favour and mind of the prince whom he serves, that he may be able to say, and always shall say, the truth about everything which it is fitting for the prince to know, without fear or risk of giving offence thereby; and that when he sees his prince's mind inclined to do something wrong, he may be quick to oppose, and gently to make use of the favour acquired by his good accomplishments, so as to banish every bad intent and lead his prince into the path of virtue. And thus, possessing the goodness which these gentlemen have described, together with readiness of wit and pleasantness, and shrewdness and knowledge of letters and many other things,—the Courtier will in every case be able deftly to show the prince how much honour and profit accrue to him and his from justice, liberality, magnanimity, gentleness, and the other virtues that become a good prince; and on the other hand how much infamy and loss proceed from the vices opposed to them. Therefore I think that just as music, festivals, games, and the other pleasant accomplishments are as it were the flower, in like manner to lead or help one's prince towards right, and to frighten him from wrong, are the true fruit of Courtiership. . . .

. . . Since princes are to-day so corrupted by evil customs and by ignorance and mistaken self-esteem, and since it is so difficult to give them knowledge of the truth and lead them on to virtue, and since men seek to enter into their favour by lies and flatteries and such vicious means,—the Courtier, by the aid of those gentle qualities that Count Ludovico and messer Federico have given him, can with ease and should try to gain the good will and so charm the

mind of his prince, that he shall win free and safe indulgence to speak of everything without being irksome. And if he be such as has been said, he will accomplish this with little trouble, and thus be able always to disclose the truth about all things with ease; and also to instil goodness into his prince's mind little by little, and to teach continence, fortitude, justice, temperance, by giving a taste of how much sweetness is hidden by the little bitterness that at first sight appears to him who withstands vice; which is always hurtful and displeasing, and accompanied by infamy and blame, just as virtue is profitable, blithe and full of praise. And thereto he will be able to incite his prince by the example of the famous captains and other eminent men to whom the ancients were wont to make statues of bronze and of marble and sometimes of gold, and to erect the same in public places, both for the honour of these men and as a stimulus to others, so that they might be led by worthy emulation to strive to reach that glory too.

In this way the Courtier will be able to lead his prince along the thorny path of virtue, decking it as with shady leafage and strewing it with lovely flowers to relieve the tedium of the weary journey to one whose strength is slight; and now with music, now with arms and horses, now with verses, now with love talk, and wit with all those means whereof these gentlemen have told, to keep his mind continually busied with worthy pleasures, yet always impressing upon him also, as I have said, some virtuous practice along with these allurements, and playing upon him with salutary craft; like cunning doctors, who often anoint the edge of the cup with a sweet cordial, when they wish to give some bitter-tasting medicine to sick and over-delicate children.

If, therefore, the Courtier put the veil of pleasure to such a use, he will reach his aim in every time and place and exercise, and will deserve much greater praise and reward than for any other good work that he could do in the world. For there is no good thing that is of such universal advantage as a good prince, nor any evil so universally noxious as a bad prince: hence, too, there is no punishment so harsh and cruel as to be a sufficient penalty for those wicked courtiers who use their gentle and pleasant ways and fine accomplishments to a bad end, and therewith seek their prince's favour, in order to corrupt him and entice him from the path of virtue and lead him into vice; for such as these may be said to taint with deadly poison not a single cup from which one man alone must drink, but the public fountain used by all men. . . .

. . . As in the other arts, so too in virtue it is necessary to have a master, who by instruction and good reminders shall arouse and awake in us those moral virtues whereof we have the seed enclosed and buried in our soul, and like a good husbandman shall cultivate them and open the way for them by

freeing us from the thorns and tares of appetite, which often so overshadow and choke our minds as not to let them blossom or bring forth those happy fruits which alone we should desire to have spring up in the human heart.

In this sense, then, justice and shame, which you say Jove sent upon earth to all men, are natural in each one of us. But just as a body without eyes, however strong it be, often fails if it moves towards any object, so the root of these virtues potentially engendered in our minds often comes to naught if it be not helped by cultivation. For if it is to ripen into action and perfect character, nature alone is not enough, as has been said, but there is need of studied practice and of reason, to purify and clear the soul by lifting the dark veil of ignorance, from which nearly all the errours of men proceed,—because if good and evil were well perceived and understood, everyone would always prefer good and shun evil. Thus virtue may almost be said to be a kind of prudence and wit to prefer the good, and vice a kind of imprudence and ignorance which lead us to judge falsely; for men never prefer evil deeming it to be evil, but are deceived by a certain likeness that it bears to good.

Then my lord Gaspar replied:

There are, however, many who know well that they are doing evil, and yet do it; and this because they have more thought for the present pleasure which they feel, than for the chastisement which they fear must come upon them: like thieves, homicides, and other such men.

My lord Ottaviano said:

True pleasure is always good, and true suffering always evil; therefore these men deceive themselves in taking false pleasure for true, and true suffering for false; hence by false pleasures they often run into true sufferings. Therefore that art which teaches how to discern the true from the false, may well be learned; and the faculty whereby we choose that which is truly good and not that which falsely seems so, may be called true wisdom and more profitable to human life than any other, because it dispels the ignorance from which, as I have said, all evils spring. . . .

. . . Just as in heaven the sun and moon and other stars show the world as in a mirror some likeness of God, so on earth a much liker image of God is found in those good princes who love and revere Him, and show their people the shining light of His justice and a reflection of His divine reason and mind; and with such as these God shares His righteousness, equity, justice and goodness, and those other happy blessings which I know not how to name, but which display to the world much clearer proof of divinity than the sun's light, or the continual revolving of the heavens and the various coursing of the stars.

Accordingly men have been placed by God under the ward of princes, who for this reason ought to take diligent care of them, in order to render Him an ac-

count of them like good stewards to their lord, and ought to love them, and regard them as personal to themselves every good and evil thing that happens to them, and provide for their happiness above every other thing. Therefore the prince ought not only to be good, but also to make others good, like that square used by architects, which not only is straight and true itself, but also makes straight and true all things to which it is applied. And a very great proof that the prince is good is when his people are good, because the prince's life is law and preceptress to his subjects, and upon his behaviour all the others must needs depend; nor is it fitting for an ignorant man to teach, nor for an unordered man to give orders, nor for one who falls to raise up others.

Hence if the prince would perform these duties rightly, he must devote every study and diligence to wisdom; then he must set before himself and follow steadfastly in everything the law of reason (unwritten on paper or metal, but graven upon his own mind), to the end that it may be not only familiar to him, but ingrained in him, and abide with him as a part of himself; so that day and night, in every place and time, it may admonish him and speak inwardly to his heart, freeing him from those disturbances that are felt by intemperate minds, which—because they are oppressed on the one hand as it were by the very deep sleep of ignorance, and on the other by the travail which they suffer from their perverse and blind desires—are tossed by relentless fury, as a sleeper sometimes is by strange and dreadful visions.

. . . My lord Gaspar said:

I remember that in discussing the accomplishments of the Courtier last evening, these gentlemen desired that he should be in love; and since, by reviewing what has thus far been said, we might conclude that a Courtier who has to allure his prince to virtue by his worth and authority, must almost of necessity be old (because knowledge very rarely comes before years, and especially in those things that are learned by experience),—I do not know how becoming it is for him (being advanced in age) to be in love. . . .

. . . Messer Pietro [Bembo said:]

I say, then, that according to the definition of the ancient sages love is naught but a certain desire to enjoy beauty; and as desire longs only for things that are perceived, perception must needs always precede desire, which by its nature wishes good things, but in itself is blind and does not perceive them. Therefore nature has so ordained that to every faculty of perception there is joined a certain faculty of appetite; and since in our soul there are three modes of perceiving, that is, by sense, by reason, and by intellect: from sense springs appetite, which we have in common with the brutes; from reason springs choice, which is peculiar to man; from the intellect, by which man is able to commune with the angels, springs will. Thus, just as sense perceives only things that are

perceptible by the senses, appetite desires the same only; and just as intellect is directed solely to the contemplation of things intellectual, the will feeds only upon spiritual benefits. Being by nature rational and placed as a mean between these two extremes, man can at pleasure (by descending to sense or mounting to intellect) turn his desires now in the one direction and now in the other. In these two ways, therefore, it is possible to desire beauty, which universal name applies to all things (whether natural or artificial) that are framed in good proportion and due measure according to their nature.

But speaking of the beauty we have in mind, which is only that which is seen in the bodies and especially in the faces of men, and which excites this ardent desire that we call love,—we will say that it is an effluence of divine goodness, and that although it is diffused like the sun's light upon all created things, yet when it finds a face well proportioned and framed with a certain pleasant harmony of various colours embellished by lights and shadows and by an orderly distance and limit of outlines, it infuses itself therein and appears most beautiful, and adorns and illumines that object whereon it shines with grace and wonderful splendour, like a sunbeam falling upon a beautiful vase of polished gold set with precious gems. Thus it agreeably attracts the eyes of men, and entering thereby, it impresses itself upon the soul, and stirs and delights her with a new sweetness throughout, and by kindling her it excites in her a desire for its own self.

Then, being seized with desire to enjoy this beauty as something good, if the soul allows herself to be guided by the judgment of sense, she runs into very grievous errors, and judges that the body wherein the beauty is seen is the chief cause thereof; and hence, in order to enjoy that beauty, she deems it necessary to join herself as closely to that body as she can; which is false: and accordingly, whoever thinks to enjoy the beauty by possessing the body deceives himself, and is moved, not by true perception through reasonable choice, but by false opinion through sensual appetite: wherefore the pleasure also that results therefrom is necessarily false and vicious.

Hence all those lovers who satisfy their unchaste desires with the women whom they love, run into one of two errors: for as soon as they have attained the end desired, they either not only feel satiety and tedium, but hate the beloved object as if appetite repented its error and perceived the deceit practised upon it by the false judgment of sense, which made it believe evil to be good; or else they remain in the same desire and longing, like those who have not truly attained the end they sought. . . .

Such lovers as these, therefore, love most unhappily; for either they never attain their desires (which is great unhappiness), or if they do attain thereto, they find they have attained their woe, and finish their miseries with other

miseries still greater; because even in the beginning and midst of their love naught else is ever felt but anguish, torments, sorrows, sufferings, toils. So that to be pale, melancholy, in continual tears and sighs, to be sad, to be ever silent or lamenting, to long for death, in short, to be most unhappy, are the conditions that are said to befit lovers.

The cause, then, of this havoc in the minds of men is chiefly sense, which is very potent in youth, because the vigour of flesh and blood at that period gives to it as much strength as it takes away from reason, and hence easily leads the soul to follow appetite. For, finding herself plunged into an earthly prison and deprived of spiritual contemplation by being set the task of governing the body, the soul cannot of herself clearly comprehend the truth; wherefore, in order to have perception of things, she must needs go begging first notions from the senses, and so she believes them and bows before them and allows herself to be guided by them, especially when they have so much vigour that they almost force her; and as they are fallacious, they fill her with errors and false opinions.

Hence it nearly always happens that young men are wrapped in this love which is sensual and wholly rebellious to reason, and thus they become unworthy to enjoy the graces and benefits which love bestows upon its true subjects; nor do they feel any pleasures in love beyond those which the unreasoning animals feel, but anguish far more grievous.

This premise being admitted then,—and it is most true,—I say that the contrary happens to those who are of maturer age. For if such as these (when the soul is already less weighed down by bodily heaviness and when the natural heat begins to become tepid) are inflamed by beauty and turn thereto a desire guided by rational choice,—they are not deceived, and possess beauty perfectly. Therefore their possession of it always brings them good; because beauty is good, and hence true love of beauty is most good and holy, and always works for good in the mind of those who restrain the perversity of sense with the bridle of reason; which the old can do much more easily than the young.

Hence it is not beyond reason to say further that the old can love without blame and more happily than the young; taking this word old, however, not in the sense of decrepit, nor when the bodily organs have already become so weak that the soul cannot perform its functions through them, but when our knowledge is at its true prime.

I will not refrain from saying also this: which is, that I think that although sensual love is evil at every age, yet in the young it deserves excuse, and is perhaps in a measure permitted. For although it gives them anguish, dangers, toils, and those woes that have been told, still there are many who, to win the favour of the ladies of their love, do worthy acts, which (although not

directed to a good end) are intrinsically good; and thus from that mass of bitterness they extract a little sweet, and through the adversities which they endure they at last perceive their error. Hence, just as I deem those youths divine who control their appetites and love in reason, so I excuse those who allow themselves to be overcome by sensual love, to which they are so strongly inclined by human frailty: provided they show therein gentleness, courtesy and worth, and the other noble qualities of which these gentlemen have told; and provided that when they are no longer of youthful age, they abandon it altogether, shunning this sensual desire as it were the lowest round of the ladder by which true love can be attained. . . .

Look at the state of this great fabric of the world, which was made by God for the health and preservation of every created thing. The round firmament, adorned with so many heavenly lights, and the earth in the centre, surrounded by the elements and sustained by its own weight; the sun, which in its revolving illumines the whole, and in winter approaches the lowest sign, then little by little mounts to the other side; the moon, which derives her light from it, according as it approaches her or withdraws from her; and the five other stars, which separately travel the same course. These things have such influence upon one another through the linking of an order thus precisely framed, that if they were changed for an instant, they could not hold together, and would wreck the world; they have also such beauty and grace that human wit cannot imagine anything more beautiful.

Think now of the shape of man, which may be called a little world; wherein we see every part of the body precisely composed with skill, and not by chance; and then the whole form together so beautiful that we could hardly decide whether more utility or more grace is given to the human features and the rest of the body by all the members, such as the eyes, nose, mouth, ears, arms, breast, and other parts withal. The same can be said of all the animals. Look at the feathers of birds, the leaves and branches of trees, which are given them by nature to preserve their being, and yet have also very great loveliness.

Leave nature, and come to art. What thing is so necessary in ships as the prow, the sides, the yards, the masts, the sails, the helm, the oars, the anchors and the cordage? Yet all these things have so much comeliness, that it seems to him who looks upon them that they are thus devised as much for beauty as for use. Columns and architraves support lofty galleries and palaces, yet they are not on that account less pleasing to the eyes of him who looks upon them, than useful to the buildings. When men first began to build, they set that middle ridge in their temples and houses, not in order that the buildings might have more grace, but to the end that the water might flow off conveniently on either side; yet to utility soon was added comeliness, so that if a temple

were built under a sky where no hail or rain falls, it would not seem able to have any dignity or beauty without the ridge.

Much praise is therefore bestowed, not only upon other things, but upon the world, by saying that it is beautiful. We praise when we say: "Beautiful sky, beautiful earth, beautiful sea, beautiful rivers, beautiful lands, beautiful woods, trees, gardens; beautiful cities, beautiful churches, houses, armies." In short, this gracious and sacred beauty gives highest ornament to everything; and we may say that the good and the beautiful are in a way one and the same thing, and especially in the human body; of whose beauty I think the most immediate cause is beauty of the soul, which (as partaker of true divine beauty) brightens and beautifies whatever it touches, and especially if the body wherein it dwells is not of such base material that it cannot impress thereon its quality. Therefore beauty is the true trophy of the soul's victory, when with power divine she holds sway over material nature, and by her light overcomes the darkness of the body.

DESIDERIUS ERASMUS

OUTSTANDING AMONG NORTHERN HUMANISTS, Desiderius Erasmus (1466-1536) has continued to fascinate the generations. Born in the Netherlands, Erasmus was a constant traveler and, like his native country, cosmopolitan in spirit. A friend of the English religious humanists Thomas More and John Colet, he came into intimate contact with the leading persons of his time and was the focal intellectual figure during the great religious crisis that marked the advent of the Reformation. Universal and erudite as he was in one sense, Erasmus was equally narrow in another. To the magnificent art of his time in both North and South, to the dawn of modern science, and to the explorations overseas, he did not respond. It was within a broad religious and moral atmosphere that his modernity, scholarship, and wit ranged. "He was not even aware of the significance of the main economic and political changes (of his age); but he does represent, better than any other one man, the common spirit of the Renaissance and of the Reformation. His own life typifies their similar origin and their final divergence."¹

Erasmus was fond of calling his religious outlook "the philosophy of Christ." The influences that directly shaped his thinking were varied: on the one hand the German religious tradition which emphasized personal piety as uppermost in religion, and on the other the work of Italian humanists like Lorenzo Valla and Pico della Mirandola. By the one was stimulated his conviction that religion was less a matter of ceremony and doctrine than of morality and rational piety, by the other his intellectual breadth, his iconoclasm, and his strain of anticlericalism. Erasmus fundamentally tried to fuse the teaching of classical and Christian antiquity into one conception of religion as a way of life. Hence he could look on Socrates as a saint and on Seneca as harmonious with St. Paul.

By his critical pen and awareness of ecclesiastical corruption Erasmus undoubtedly contributed to the Reformation. But he was too full of love for tradition, too much given to seeing the merits of opposing views to go along with Luther, who exhorted him to do so. For some time he steered a moderate position between the warring parties, and finally, in controversy with Luther, became an enemy of the Reformation, repelled by its revolutionary extremism.

The Praise of Folly (1509), if not the most important of Erasmus's books, was the one which secured him international renown, going through forty editions and many translations during his lifetime. It is a good cross-section of the general character of his humanism, and bears the essential flavor of his satire, internationalism, hatred of war, attitude toward the Church, and "Christian freethinking." The translation from the Latin is that of Hoyt H. Hudson (Princeton University Press, 1941).

¹ Preserved Smith, *Erasmus* (New York, Harper and Brothers, 1923), pp. 4-5.

THE PRAISE OF FOLLY

HOWEVER mortal folk may commonly speak of me (for I am not ignorant how ill the name of Folly sounds, even to the greatest fools), I am she—the only she, I may say—whose divine influence makes gods and men rejoice. One great and sufficient proof of this is that the instant I stepped up to speak to this crowded assembly, all faces at once brightened with a fresh and unwonted cheerfulness, all of you suddenly unbent your brows, and with frolic and affectionate smiles you applauded; so that as I look upon all present about me, you seem flushed with nectar, like gods in Homer, not without some nepenthe, also; whereas a moment ago you were sitting moody and depressed, as if you had come out of the cave of Trophonius. Just as it commonly happens, when the sun first shows his splendid golden face to the earth or when, after a bitter winter, young spring breathes mild west winds, that a new face comes over everything, new color and a sort of youthfulness appear; so at the mere sight of me, you straightway take on another aspect. . . .

. . . What can be dearer or more precious than life? And the beginning and first principle of life is owed to whom else but me? Not the spear of “potent-fathered” Pallas, not the shield of “cloud-compelling” Jove, procreates the children of men or multiplies their race. Even he, the father of gods and king of men, who shakes all heaven by a nod, is obliged to lay aside his three-pronged thunder and that Titanic aspect by which, when he pleases, he scares all the gods, and assume another character in the slavish manner of an actor, if he wishes to do what he never refrains from doing, that is to say, to beget children. . . . And why not speak to you still more frankly, as is my fashion? I beg to inquire whether the head, whether the face, the breast, the hand, or the ear—all of them accounted honorable members—generates gods and men? I judge not; nay, rather that foolish, even silly, part which cannot be named without laughter, is the propagator of the human race. This is at last that sacred spring from which all things derive existence, most truly than from the elemental tetrad of Pythagoras.

Now tell me, what man, by heaven, could wish to stick his head into the halter of marriage if, as your wiseacres have the habit of doing, he first weighed with himself the inconveniences of wedded life? Or what woman would ever admit her husband to her person, if she had heard or thought about the dangerous pains of childbirth and the irksomeness of bringing up a child? But since you owe your existence to the marriage-bed, and marriage is owing to Anioia, a servant of mine, you can see how vastly indebted you are to me! Then, too, would a woman who has gone through all this, wish to make a second venture,

if the power and influence of my Lethe did not attend her? And in spite of what Lucretius claims, Venus herself would not deny that without the addition of my presence her strength would be enfeebled and ineffectual. So it is that from this brisk and silly little game of mine come forth the haughty philosophers (to whose places those who are vulgarly called monks have now succeeded), and kings in their scarlet, pious priests, and triply most holy popes; also, finally, that assembly of the gods of the poets, so numerous that Olympus, spacious as it is, can hardly accommodate the crowd.

But let it be accounted a little thing that the seedplot and source of existence are mine, if I do not show that whatever is profitable in any life is also of my giving. For what about it? Can life be called life at all if you take away pleasure? . . . You applaud! I knew that none of you is so wise—or rather so foolish—no, I prefer to say so wise—as to err on that point. Even the famous Stoics do not really scorn pleasure, but they studiously dissemble and attack it in public with a thousand reproaches, only to the end that, with other people scared off, they may enjoy it more liberally. But let them tell me, by Jove, what part of life is not sad, unpleasant, graceless, flat, and burdensome, unless you have pleasure added to it, that is, a seasoning of folly? As proof of this, there is extant that lovely tribute to me by Sophocles, who can never be sufficiently praised, "To know nothing affords the happiest life." . . .

In sum, no society, no union in life, could be either pleasant or lasting without me. A people does not for long tolerate its prince, or a master tolerate his servant, a handmaiden her mistress, a teacher his student, a friend his friend, a wife her husband, a landlord his tenant, a partner his partner, or a boarder his fellow-boarder, except as they mutually or by turns are mistaken, on occasion flatter, on occasion wisely wink, and otherwise soothe themselves with sweetness of folly. . . .

For what is so foolish as to be satisfied with yourself? Or to admire yourself? Yet on the other hand, if you are displeased with yourself, what can you do that is pleasing or graceful or seemly? Take this ingredient from life, and at once the orator, like his style, will be flat and cold, the musician will be as sour as his notes, the actor, with all his mimicry, will be hissed from the stage, the painter as well as his pictures will be cheap, and the poor doctor will famish among his poor medicines. Without self-love, though you may be a handsome Nireus, you will appear like Thersites; you will seem a Nestor, though a Phaon; a sow instead of Minerva, tongue-tied instead of eloquent, a gawk instead of a man of the world. That is how necessary it is to capture your own fancy, and to appreciate your own value by a bit of self-applause, before you can be held in price by others. Finally, since the better part of happiness is to wish to be what you are, why certainly my Philautia reaches that end by a short cut;

so that no one is ashamed of his own looks, no one regrets his own temperament, or feels shame for his race, his locality, his profession, or his fatherland. An Irishman does not want to change places with an Athenian, or a Scythian with a dweller in the Fortunate Isles. Oh, the singular foresight of nature, who, in spite of such differences of condition, equalizes all things! Where she has withheld something of her bounties, there she is wont to add a little more self-love; but I have made a foolish saying, for self-love is itself the greatest bounty of nature.

May I not affirm, indeed, that you will find no great exploit undertaken, no important arts invented, except at my prompting? As, for instance, is not the war the seed-plot and fountain of renowned actions? Yet what is more foolish than to enter upon a conflict for I know not what causes, wherein each side reaps more of loss than of gain? As for those who fall, as was said of the Megarians, "no particulars." And when armored ranks engage each other and bugles bray with harsh accord, of what use are those wise men, who, exhausted by studies, scarce maintain any life in their thin, cold blood? The day belongs to stout, gross fellows; the littler wit they have, the bolder they are—unless, forsooth, you prefer a soldier like Demosthenes, who, since he agreed with the poetic sentiment of Archilochus, dropped his shield and ran, as cowardly in warfare as he was consummate in eloquence. But wise planning, they say, is of most importance in war. Yes, on the part of a general, I grant; yet is it military, not philosophical, wisdom. Far otherwise: this famous game of war is played by parasites, panders, bandits, assassins, peasants, sots, bankrupts, and such other dregs of mankind; never by philosophers, with their candles of wisdom. . . .

Come, then, and suppose a man could look from a high tower, as the poets say Jove is in the habit of doing. To how many calamities would he see the life of man subject! How painful, how messy, man's birth! How irksome his rearing—his childhood exposed to so many hurts, his youth beset by so many problems! Then age is a burden; the certainty of death is inexorable. Diseases infest life's every way; accidents threaten, troubles assail without warning; there is nothing that is not tainted with gall. Nor can I recite all those evils which man suffers at the hands of man; poverty is in this class, and imprisonment, infamy, shame, tortures, snares, treachery, slander, litigation, fraud. But you see I am engaged in "counting the sand." For what offenses men have deserved these things, or what angry god compelled them to be born to such miseries, it is no business of mine to discuss at the moment. But if one ponders upon the evils I speak of, will not one approve the example, pitiable as it is, set by the Milesian virgins? And yet who are the people that, merely because of weariness of life, have hastened their fate? Were they not the people who

lived next door to wisdom? Among them, to pass over such as Diogenes, Xenocrates, Cato, Cassius, and Brutus, there was even Chiron, who, though he had the privilege of being immortal, took the option of death. You will observe, I am sure, what would happen if men generally became wise: there would be need for some fresh clay and for another potter like Prometheus. . . .

The fact is that the more ways a man is deluded, the happier he is, if Folly is any judge. Only let him remain in that kind of madness which is peculiarly my own, and which is so widespread that I do not know whether out of the whole world of mortals it is possible to find one who is wise at all times of day, and who is not subject to some extravagance. It may be only that a man seeing a pumpkin believes it is a woman, and others give him the epithet of "mad," simply because so few people share his belief. But when another man swears roundly that his wife (whom he holds in common with many others) is a Penelope, only more virtuous, and thus flatters himself in the key of C-major, happily deluded; nobody calls him mad, because they see that this happens to other husbands here and there.

To this order belong the fellows who renounce everything else in favor of hunting wild game, and protest they feel an ineffable pleasure in their souls whenever they hear the raucous blast of the horns and the yelping of the hounds. Even the dung of the dogs, I am sure, smells like cinnamon to them. And what is so sweet as a beast being butchered? . . .

. . . Then what shall I say of the people who so happily fool themselves with forged pardons for sins, measuring out time to be spent in purgatory as if with an hour-glass, and figuring its centuries, years, months, days, and hours as if from a mathematical table, beyond possibility of error? Or I might speak of those who will promise themselves any and every thing, relying upon certain charms or prayers devised by some pious impostor either for his soul's sake or for money, to bring them wealth, reputation, pleasure, plenty, good health, long life, and a green old age, and at last a seat next to Christ's in heaven—but they do not wish to get it too soon. That is to say, when the pleasures of this life have finally failed them, willy-nilly, though they struggled tooth and nail to hold on to them, then it is time for the bliss of heaven to arrive.

I fancy that I see some merchant or soldier or judge laying down one small coin from his extensive booty and expecting that the whole cesspool of his life will be at once purified. He conceives that just so many perjuries, so many lustful acts, so many debauches, so many fights, murders, frauds, lies and so many breaches of faith, are bought off as by contract; and so bought off that with a clean slate he may start from scratch upon a new round of sins. And who are more foolish, yet who more happy, than those who promise themselves something more than the highest felicity if they daily recite those seven

verses of the *Psalms*? The seven, I mean, which some devil, a playful one, but blabbing rather than crafty, is believed to have pointed out to St. Bernard after he had been duped by the saint's trick. Things like that are so foolish, you know, that I am almost ashamed of them myself; yet they stand approved not only by the common people but even by teachers of religion. And is it not almost as bad when the several countries each lay claim to a particular saint of their own, and then assign particular powers respectively to the various saints and observe for each one his own peculiar rites of worship? One saint assists in time of toothache, another is propitious to women in travail, another recovers stolen goods, a fourth stands by with help in a shipwreck, and still another keeps the sheep in good repair; and so of the rest, though it would take too long to specify all of them. . . .

And now I see that it is not only in individual men that nature has implanted self-love. She implants a kind of it as a common possession in the various races, and even cities. By this token the English claim, besides a few other things, good looks, music, and the best eating as their special properties. The Scots flatter themselves on the score of high birth and royal blood, not to mention their dialectical skill. Frenchmen have taken all politeness for their province; though the Parisians, brushing all others aside, also award themselves the prize for knowledge of theology. The Italians usurp *belles lettres* and eloquence; and they all flatter themselves upon the fact that they alone, of all mortal men, are not barbarians. In this particular point of happiness the Romans stand highest, still dreaming pleasantly of ancient Rome. The Venetians are blessed with a belief in their own nobility. The Greeks, as well as being the founders of the learned disciplines, vaunt themselves upon their titles to the famous heroes of old. The Turks, and that whole rabble of the truly barbarous, claim praise for their religion, laughing at Christians as superstitious. And what is much more pleasant, the Jews still are awaiting their own Messiah, and even today hold on to their Moses with might and main. Spaniards yield to no one in martial reputation. Germans take pride in their great stature and their knowledge of magic. . . .

You would never believe what sport and entertainment your mortal manikins provide daily for the gods. These gods, you know, set aside their sober forenoon hours for composing quarrels and giving ear to prayers. But after that, when they are well moistened with nectar and have no desire for the transaction of business, they seek out some promontory of heaven and, sitting there with faces bent downward, they watch what mortal men are adoining. There is no show like it, Good God, what a theater! How various the action of fools! (I may say that now and then I take a seat alongside the gods of the poets.) Here is a fellow dying for love of a sweet young thing, and the less he

is loved in return, the more helplessly he is in love. This one marries a dowry, not a wife. This one prostitutes his own wife. The jealousy of another keeps watch like Argus. Here is a man in mourning, but mercy me, what fool things he says and does! Hiring mourners as if they were actors, to play a comedy of grief! Another man squeezes out a tear at the tomb of his mother-in-law. This one spends on his belly whatever he can scrape together by hook or crook, but presently he will be just as hungry again. Another finds nothing better than sleep and idleness. There are those who get themselves into a stew working at what is other people's business, while they neglect their own. There is also the broker, who accounts himself rich on other people's money, but is on the way to bankruptcy. Another thinks that the happy life consists in living like a pauper in order that his heir may be wealthy. Another, for the sake of a small and uncertain profit, sails the seven seas, exposing his life, which no money could pay for, to the hazard of waves and winds. This one prefers seeking riches in war to passing a safe and quiet life at home. Some decide that they can most conveniently attain to wealth by courting and fawning upon childless old men. There are even those who prefer to do the same to rich old women. Both kinds furnish rare sport to the gods who are spectators, because they are usually cheated by the parties they set out to catch.

But the most foolish and sordid of all are your merchants, in that they carry on the most sordid business of all and this by the most sordid methods; for on occasion they lie, they perjure themselves, they steal, they cheat, they impose on the public. Yet they make themselves men of importance—because they have gold rings on their fingers. Nor do they lack for flattering friars who admire them and call them Right Honorable in public, with the purpose, surely, that some little dribble from the ill-gotten gains may flow to themselves. Elsewhere you will see certain Pythagoreans, in whose eyes all things are common—to such a degree, in fact, that whatever they light upon that is lying around loose they carry off with a tranquil spirit, as if it passed to them by inheritance. There are others who are rich only in wishes; they build beautiful air-castles and conceive that doing so is enough for happiness. Some delight in passing for wealthy men away from home, though they starve meanly enough in their own houses. One man hastens to put into circulation what money he has; his neighbor hoards his up through thick and thin. This one pushes forward as a candidate for public honors; that one finds his pleasure by his fireside. A good many people bring suits which are destined never to end; once and again they eagerly strive to outdo each other—in enriching the judge who sets the postponements and the advocate who colludes with him. One burns with zeal for revolutions; another is toiling upon his Grand Scheme. This man leaves wife and children at home and sets out on a pilgrimage to

Jerusalem, Rome, or the shrine of St. James, where he has no particular business. In sum, if you might look down from the moon, as Menippus did of old, upon the numberless agitations among mortal men, you would think you were seeing a swarm of flies or gnats, quarreling among themselves, waging wars, setting snares for each other, robbing, sporting, wantoning, being born, growing old, and dying. . . .

Among men of learned professions, the lawyers may claim first place for themselves, nor is there any other class quite so self-satisfied; for while they industriously roll up the stone of Sisyphus by dint of weaving together six hundred laws in the same breath, no matter how little to the purpose, and by dint of piling glosses upon glosses and opinions upon opinions, they contrive to make their profession seem the most difficult of all. . . .

Near these march the scientists, revered for their beards and the fur on their gowns, who teach that they alone are wise while the rest of mortal men flit about as shadows. How pleasantly they dote, indeed, while they construct their numberless worlds, and measure the sun, moon, stars, and spheres as with thumb and line. They assign causes for lightning, winds, eclipses, and other inexplicable things, never hesitating a whit, as if they were privy to the secrets of nature, artificer of things, or as if they visited us fresh from the council of the gods. Yet all the while nature is laughing grandly at them and their conjectures. For to prove that they have good intelligence of nothing, this is a sufficient argument: they can never explain why they disagree with each other on every subject. Thus knowing nothing in general, they profess to know all things in particular; though they are ignorant even of themselves, and on occasion do not see the ditch or the stone lying across their path, because many of them are bleary-eyed or absent-minded. . . .

Perhaps it were better to pass over the theologians in silence, and not to move such a Lake Camarina, or to handle such an herb *Anagyris foetida*, as that marvellously supercilious and irascible race. For they may attack me with six hundred arguments, in squadrons, and drive me to make a recantation; which if I refuse, they will straightway proclaim me an heretic. . . .

They are protected by a wall of scholastic definitions, arguments, corollaries, implicit and explicit propositions; they have so many hideaways that they could not be caught even by the net of Vulcan; for they slip out on their distinctions, by which also they cut through all knots as easily as with a double-bitted axe from Tenedos; and they abound with newly-invented terms and prodigious vocables. Furthermore, they explain as pleases them the most arcane matters, such as by what method the world was founded and set in order, through what conduits original sin has been passed down along the generations, by what means, in what measure, and how long the perfect Christ was

in the Virgin's womb, and how accidents subsist in the Eucharist without their subject.

But those are hackneyed. Here are questions worthy of the great and (as some call them) illuminated theologians, questions to make them prick up their ears—if ever they chance upon them. Whether divine generation took place at a particular time? Whether there are several sonships in Christ? Whether this is a possible proposition: God the Father hates the Son? Whether God could have taken upon Himself the likeness of a woman? Or of a devil? Of an ass? Of a gourd? Of a piece of flint? Then how would that gourd have preached, performed miracles, or been crucified? Also, what would Peter have consecrated if he had administered the sacrament while Christ's body hung upon the Cross? Also whether at that moment Christ could be said to be a man? And whether after the resurrection it will be forbidden to eat and drink? (Now, while there is time, they are providing against hunger and thirst!) These finespun trifles are numberless, with others even more subtle, having to do with instants of time, notions, relations, accidents, quiddities, entities, which no one can perceive with his eyes unless, like Lynceus, he can see in blackest darkness things that are not there.

We must put in also those hard sayings, contradictions indeed, compared to which the Stoic maxims which were called paradoxes seem the merest simplicity. For instance: it is less of a crime to cut the throats of a thousand men than to set a stitch on a poor man's shoe on the Lord's day; it is better to choose that the universe should perish, body, boots, and breeches (as the saying is), than that one should tell a single lie, however inconsequential. The methods our scholastics pursue only render more subtle these subtlest of subtleties; for you will escape from a labyrinth more quickly than from the tangles of Realists, Nominalists, Thomists, Albertists, Occamists, Scotists—I have not named them all, but the chief ones only. But in all these sects there is so much learning and so much difficulty that I should think the apostles themselves must needs have the help of some other spirit if they were to try disputing on these topics with our new generation of theologues. . . .

In my poor judgment Christians would be wiser if instead of their gross unwieldy battalions of soldiers, with which for some time now they have been warring without any particular favor from Mars, they would send against the Turks and Saracens these brawling Scotists and stubborn Occamists and invincible Albertists, along with the whole band of Sophists. Then, I am bold to think, they would witness a battle which would be the merriest ever fought, and a victory such as was never seen before. Who is so phlegmatic that the shrewdness of these fighters would not excite him? Who so stupid that such sophistries would not quicken him? Who so quick-sighted that they would not throw a mist before his eyes? . . .

Coming nearest to these in felicity are the men who generally call themselves "the religious" and "monks"—utterly false names both, since most of them keep as far away as they can from religion and no people are more in evidence in every sort of place. But I do not see how anything could be more dismal than these monks if I did not succor them in many ways. For though people as a whole so detest this race of men that meeting one by accident is supposed to be bad luck, yet they flatter themselves to the queen's taste. For one thing, they reckon it the highest degree of piety to have no contact with literature, and hence they see to it that they do not know how to read. For another, when with asinine voices they bray out in church those psalms they have learned, by rote rather than by heart, they are convinced that they are anointing God's ears with the blandest of oil. Some of them make a good profit from their dirtiness and mendicancy, collecting their food from door to door with importunate bellowing; nay, there is not an inn, public conveyance, or ship where they do not intrude, to the great disadvantage of the other common beggars. Yet according to their account, by their very dirtiness, ignorance, want of manners, and insolence, these delightful fellows are representing to us the lives of the apostles. . . .

In short, all orders take remarkable care that nothing in their way of life shall be consistent; nor is it so much their concern to be like Christ as to be unlike each other. Thus a great part of their felicity derives from their various names. Those of one order delight to call themselves Cordeliers, but among them some are Coletes, some Minors, some Minims, some Crutched. Again, there are the Benedictines and the Bernardines; the Bridgetines and the Augustinians; the Williamists and the Jacobines; as if it were not enough to be called Christians. . . .

In truth I am glad to get away from these actors and dissemblers, who are as ungrateful for my benefits as they are false in their pretensions to piety. And at this point it pleases me to touch upon kings and nobles of the court, by whom I am worshipped sincerely and, as becomes gentlemen, frankly. And indeed, if they had so much as half an ounce of sound wisdom, what life were more dismal than theirs or more to be avoided? For let a person weigh in his mind how heavy a burden rests on the shoulders of anyone wishing to act the true prince, and he will not conclude that sovereignty is a thing worth using perjury and parricide to gain. He will consider that one who grasps the helm of great affairs must further the public, not his private, interest and give his mind to nothing except as it concerns the general good; he must not deviate a finger's breadth from the laws of which he is author and executor; he must himself be warrant for the integrity of all officials and magistrates; he is one person who is exposed to all eyes, and like a favorable star he has power, by the good influence of his conduct, to bring salvation in human affairs; or like a fatal

comet he may bring destruction in his train. The vices of other men are not so deeply felt or so widely communicated. A prince is in such a position that if he lapses ever so slightly from honesty, straightway a dangerous and vital infection spreads to many people. Then the lot of princes brings with it a host of things which tend to lead them from righteousness, such as pleasure, liberty, adulation, and excess; so that he must endeavor more earnestly and watch more vigilantly lest, beguiled by these, he fail of his duty. Finally, to say nothing of treasons, hatred, and other perils or dreads, there stands above his own crown that true King who will call him to account for even the least of his trespasses; and the accounting will be more severe as the empire he ruled was the more mighty. I say that if the prince weighed these things, and many more like them, within himself—and he would do so, were he wise—I am afraid he could neither sleep nor eat in any joy.

But as it is, with my assistance, kings leave all these concerns to the gods, take care of themselves nicely, and grant no hearing to anyone unless he knows how to speak pleasant things, because solicitude must not get a foothold in their minds. They believe they have played the part of a sovereign to the hilt if they diligently go hunting, feed some fine horses, sell dignities and offices at a profit to themselves, and daily devise new measures by which to drain away the wealth of citizens and sweep it into their own exchequer. All this, of course, is done in due form, under new-found names, so that even when most unjust it shall carry some appearance of equity; and they take care to add a little sweetening so that in any event they may secure for themselves the hearts of the people. . . .

Now what shall I say about the noble courtiers? Though nothing is more venal, more servile, more witless, or more contemptible than most of them, yet they desire to seem the foremost of created things. Here is one point, however, in which they are as modest as one could wish: they are satisfied to carry about on their bodies gold, gems, scarlet, and the other insignia of wisdom and the virtues, but the reality of these they leave for the use of others. They find themselves abundantly happy in being allowed to speak of the king as "our master," in having learned how to turn a compliment in three words, and in knowing how to repeat on occasion those courteous titles of Your Grace, Your Lordship, and Your Majesty; in having cast off shame beyond other men, and in flattering handsomely. For these are the arts which truly become the nobleman and courtier. . . .

Our popes, cardinals, and bishops for some time now have earnestly copied the state and practice of princes, and come near to beating them at their own game. Let a bishop but consider what his alb, the white emblem of sincerity, should teach him, namely, a life in every way blameless; and what is signified

on his part by the two-horned miter, the two peaks bound by the same knot—I suppose it is a perfect knowledge of the Old and New Testaments; what is meant by covering his hands with gloves, a clean administration of the sacrament and one unsullied by any taint of human concerns; what the crozier symbolizes, most watchful care of the flock put under his charge; what is indicated by the cross that is carried before him, to wit, a victory over all carnal affections. If he would contemplate these and other lessons of the sort, I say, would he not lead a sad and troubled life? But as it is, they do well enough by way of feeding themselves; as for the other, the care of the sheep, they delegate that to Christ himself, or else refer it to their suffragans, as they call them, or other deputies. Nor do they keep in mind the name they bear, or what the word “bishop” means—labor, vigilance, solicitude. Yet in raking in moneys they truly play the bishop, overseeing everything—and overlooking nothing.

In a similar way the cardinals, if they considered the fact that they have succeeded to the places of the apostles, would see that the same works are required of them as were performed by their predecessors; that they are not lords, but stewards, of spiritual things, and that shortly they are to render an exact account of what they hold in trust. Yes, let them too philosophize a bit concerning their vestments, and question themselves in this fashion: “What does the whiteness of this upper garment mean? Is it not a notable and singular purity of heart? What the crimson lower garment? Is it not a burning love of God? What, again, that outer robe flowing down in broad folds and spreading over the mule of his Exalted Reverence, though it would suffice to cover a camel? Is it not charity ample enough to embrace all men in its helpfulness, by way of teaching, exhorting, chastising, admonishing, ending wars, resisting wicked princes, and freely spending blood—not money alone—for the flock of Christ? And wherefore all this money, anyway, for those who hold the places of the needy apostles?” If they would weigh these things, I repeat, they would not be so ambitious for the post, and would willingly give it up, or at least they would lead a toilsome and watchful life of the sort lived by those ancient apostles.

As to these Supreme Pontiffs who take the place of Christ, if they tried to emulate His life, I mean His poverty, labors, teaching, cross, and contempt for safety, if even they thought upon the title of Pope—that is, Father—or the addition “Most Holy,” who on earth would be more afflicted? Who would purchase that seat at the price of every resource and effort? Or who defend it, when purchased, by the sword, by poison, or by anything else? Were wisdom to descend upon them, how it would inconvenience them! Wisdom, did I say? Nay, even a grain of salt would do it—a grain of that salt which is spoken of by Christ. It would lose them all that wealth and honor, all those possessions,

triumphal progresses, offices, dispensations, tributes, and indulgences; it would lose them so many horses, mules, and retainers; so many pleasures. . . .

And so it comes about—by my doing, remember—that scarcely any kind of men live more softly or less oppressed with care; believing that they are amply acceptable to Christ if with a mystical and almost theatrical finery, with ceremonies, and with those titles of Beatitude and Reverence and Holiness, along with blessing and cursing, they perform the office of bishops. To work miracles is primitive and old-fashioned, hardly suited to our times; to instruct the people is irksome; to interpret the Holy Scriptures is pedantry; to pray is otiose; to shed tears is distressing and womanish; to live in poverty is sordid; to be beaten in war is dishonorable and less than worthy of one who will hardly admit kings, however great, to kiss his sacred foot; and finally, to die is unpleasant, to die on the cross a disgrace.

There remain only those weapons and sweet benedictions of which Paul speaks, and the popes are generous enough with these: interdictions, excommunications, re-excommunications, anathematizations, pictured damnations, and the terrific lightning-bolt of the bull, which by its mere flicker sinks the souls of men below the floor of hell. And these most holy fathers in Christ, and vicars of Christ, launch it against no one with more spirit than against those who, at the instigation of the devil, try to impair or to subtract from the patrimony of Peter. Although this saying of Peter's stands in the Gospel, "We have left all and followed Thee," yet they give the name of his patrimony to lands, towns, tribute, imposts, and moneys. On behalf of these things, inflamed by zeal for Christ, they fight with fire and sword, not without shedding of Christian blood; and then they believe they have defended the bride of Christ in apostolic fashion, having scattered what they are pleased to designate as "her enemies." As if the church had any enemies more pestilential than impious pontiffs who by their silence allow Christ to be forgotten, who enchain Him by mercenary rules, adulterate His teaching by forced interpretations, and crucify Him afresh by their scandalous life!

Now the Christian church was founded on blood, strengthened by blood, and augmented by blood; yet nowadays they carry on Christ's cause by the sword just as if He who defends His own by His own means had perished. And although war is so cruel a business that it befits beasts and not men, so frantic that poets feign it is sent with evil purpose by the Furies, so pestilential that it brings with it a general blight upon morals, so iniquitous that it is usually conducted by the worst bandits, so impious that it has no accord with Christ, yet our popes, neglecting all their other concerns, make it their only task. Here you will see feeble old men assuming the strength of youth, not shocked by the expense or tired out by the labor, not at all discouraged, if only

they may upset laws, religion, peace, and all humane usages, and turn them heels over head. Learned sycophants will be found who will give to this manifest madness the names of zeal, piety, and fortitude, devising a way whereby it is possible for a man to whip out his sword, stick it into the guts of his brother, and nonetheless dwell in that supreme charity which, according to Christ's precept, a Christian owes to his neighbor. . . .

Come, now that I have "put on the lion's skin," I shall show this also, that the happiness of Christians, which they pursue with so much travail, is nothing else but a kind of madness and folly. Let these words give no offense; instead, keep your mind on the point. To begin with, Christians come near to agreeing with Platonists in this, that the soul is sunk and shackled by corporeal bonds, being so clogged by the grossness of the body that but little can it contemplate and enjoy things as they truly are. Hence Plato defined philosophy as "a study of death," because it leads the mind away from visible and bodily things, and certainly death does the same. And thus as long as the soul uses the bodily organs aright, so long it is called sane, but when with its bonds broken it attempts to make good its liberty, planning, as it were, escape from its prison, then it is called mad. . . .

. . . Since there is so great contrariety between the pious and the vulgar, it comes about that each appears to the other to be mad—though in my opinion, to be sure, the word is more correctly applied to the pious than to the others. This will become clearer if I briefly demonstrate, as I promised to do, that their *summum bonum*¹ itself is no other than a kind of insanity. First, let us suppose that Plato was dreaming of something very like it when he wrote that "the madness of lovers is the happiest state of all." Now he who loves intensely no longer lives in himself but in whatever he loves, and the more he can depart from himself and enter into the other, the happier he is. And when a mind yearns toward travelling out of the body, and does not rightly use its own bodily organs, you doubtless, and with accuracy, call the state of it madness. Otherwise, what do they mean by those common phrases, "he is not at home," and "to come to yourself," and "he is himself again"? Furthermore, so far as the love is more perfect the madness is greater and more delightful. Of what sort, then, is that future life with those who dwell on high, toward which pious hearts aspire with such fervor? First the spirit, as conqueror and the more vital, will overmaster and absorb the body, and this it will do the more easily in that now it is in its own realm, so to speak, and also because already, during life, it has cleansed and lightened the body in preparation for this change. Then the spirit itself will be absorbed in marvellous wise by that supreme spirit, more potent than its infinity of parts. Thus the whole man will be outside of himself, nor will he be happy for any other reason than that,

¹ [Highest good.]

so placed outside of himself, he shall have some ineffable portion in that *summm bonum* which draws all things unto itself. And although this happiness arrives at its perfection only when souls, joined to their former bodies, shall be clothed with immortality, yet because the earthly life of pious folk is nothing but a contemplation and kind of shadowing of that other, they sometimes feel a foretaste and a glow of the reward to come. Although this is as but the least little drop in comparison with that flowing fountain of eternal happiness, yet it far surpasses any bodily pleasure, yes, even if all mortal delights were brought together into one. By so much does the spiritual excel over the corporeal, and the invisible over the visible. This surely is what the prophet has promised: "Eye hath not seen, nor ear heard, neither have entered into the heart of man the things which God hath prepared for them that love Him." And this truly is the portion of Folly, that "good part" which "shall not be taken away" by the transformation of life, but will be perfected.

Hence those who are permitted to have a foretaste of this—and it comes to but few—suffer something very like to madness. They say things that are not quite coherent, and this not in the ordinary way of men, but they make a sound without meaning, and suddenly they change the whole aspect of their faces; now cheerful, now downcast, they will weep, then laugh, and then sigh; in brief, they are truly outside themselves. When presently they return to themselves they say that they do not know where they have been, whether in the body or out of it, waking or sleeping; they do not remember what they have heard, seen, spoken, or done; and yet through a cloud, or as in a dream, they know one thing, that they were at their happiest while they were thus out of their wits. So they are sorry to come to themselves again and would prefer, of all good things, nothing but to be mad always with this madness. And this is a tiny little taste of that future happiness.

But indeed I have long since forgotten myself and run out of bounds. If anything I have said shall seem too saucy or too glib, stop and think: 'tis Folly, and a woman, that has spoken. But of course you will also remember that Greek proverb, "Even a foolish man will often speak a word in season," unless, perhaps, you assume that this does not extend to women. I see that you are expecting a peroration, but you are just too foolish if you suppose that after I have poured out a hodgepodge of words like this I can recall anything that I have said. There is an old saying, "I hate a pot-companion with a memory." Here is a new one: "I hate a hearer that remembers anything."

And so farewell. . . . Applaud . . . live . . . drink . . . O most distinguished initiates of Folly!

THOMAS MORE

BORN IN LONDON, Sir Thomas More (1478–1535) was Speaker of the House of Commons in 1523 and Lord Chancellor in 1529. More was recurrently at odds with Henry VIII over the latter's quarrels with the pope. Upon Henry's second marriage, to Anne Boleyn, Pope Clement VII excommunicated the English king, whereupon Parliament declared the king to be the "only supreme head in earth of the Church of England." Persistent in his opposition to Henry's marriage and to schism within the Church, More was beheaded by the monarch in 1535.

The intimate friend of Erasmus, More had the same regard for the survival of classic learning and the same feeling that intolerance and theological strife were opposed to essential Christianity. Like Erasmus, he wrote against the abuses and superstitions into which many contemporary clergymen had fallen, but at the same time he feared the intolerance and disruptive effects involved in the religious controversies and schisms that marked the times. Such humanistic works as the *Utopia* were of a piece in the mind of More with his voluminous defenses of Catholicism. He is now one of the martyrs of the Catholic Church and was canonized in 1935.

More's *Utopia* was published in 1516. Written in Latin, it attracted the attention of the lettered on the Continent some years before it gained much note in England. When it was translated by Ralph Robynson in 1551 it rapidly became a part of a specifically national and English literary tradition. The *Utopia* purports to be based upon the stories and speculations of a wise, because much traveled, sailor, Raphael. The first part deals with criticisms of existing conditions on the European continent and in England. The second part covers Raphael's description of Utopia—literally, *Nowhere*—an imaginary country founded on common ownership of the means of subsistence and devoted to the cultivation of humane arts and institutions. A traveler's tale, *Utopia* attests the expansion of the European mind that attended the physical expansion of Europe in the fifteenth and sixteenth centuries. Furthermore, More's imagination is obviously nourished on Plato. In turning to that philosopher for a radical social program More presents still another kind of classicist social criticism, which took more than one direction in the sixteenth century. The following translation (1684) is by Gilbert Burnet.



UTOPIA

ONE DAY, when I was dining with [John Morton¹], there happened to be at table one of the English lawyers, who took occasion to run out in a high com-

¹ [Archbishop of Canterbury, Cardinal, and Chancellor of England.]

mendation of the severe execution of justice upon thieves, who, as he said, were then hanged so fast that there were sometimes twenty on one gibbet; and upon that he said, he could not wonder enough how it came to pass that, since so few escaped, there were yet so many thieves left, who were still robbing in all places. Upon this, I, who took the boldness to speak freely before the cardinal, said, there was no reason to wonder at the matter, since this way of punishing thieves was neither just in itself nor good for the public; for as the severity was too great, so the remedy was not effectual; simple theft not being so great a crime that it ought to cost a man his life; no punishment, how severe soever, being able to restrain those from robbing, who can find out no other way of livelihood. In this, said I, not only you in England, but a great part of the world, imitate some ill masters, that are readier to chastise their scholars than to teach them. There are dreadful punishments enacted against thieves; but it were much better to make such good provisions, by which every man might be put in a method how to live, and so be preserved from the fatal necessity of stealing, and of dying for it.—There has been care enough taken for that, said he; there are many handicrafts, and there is husbandry, by which they may make a shift to live, unless they have a greater mind to follow ill courses.

That will not serve your turn, said I, for many lose their limbs in civil or foreign wars, as lately in the Cornish rebellion, and some time ago in your wars with France, who, being thus mutilated in the service of their king and country, can no more follow their old trades, and are too old to learn new ones. But since wars are only accidental things, and have intervals, let us consider those things that fall out every day. There is a great number of noblemen among you, that are themselves as idle as drones, that subsist on other men's labour—on the labour of their tenants, whom, to raise their revenues, they pare to the quick. This, indeed, is the only instance of their frugality; for in all other things they are prodigal, even to the beggaring of themselves. But, besides this, they carry about with them a great number of idle fellows, who never learned any art by which they may gain their living; and these, as soon as either their lord dies or they themselves fall sick, are turned out of doors; for your lords are readier to feed idle people than to take care of the sick; and often the heir is not able to keep together so great a family as his predecessor did. Now, when the stomachs of those that are thus turned out of doors grow keen, they rob no less keenly. And, what else can they do? For when, by wandering about, they have worn out both their health and their clothes, and are tattered, and look ghastly, men of quality will not entertain them, and poor men dare not do it; knowing that one who has been bred up in idleness and pleasure, and who was used to walk about with his

sword and buckler, despising all the neighbourhood with an insolent scorn, as far below him, is not fit for the spade and mattock; nor will he serve a poor man for so small a hire, and on so low a diet as he can afford to give him.

To this he answered, This sort of men ought to be particularly cherished, for in them consists the force of the armies for which we have occasion; since their birth inspires them with a nobler sense of honour than is to be found among tradesmen or ploughmen.

You may as well say, replied I, that you must cherish thieves on the account of wars, for you will never want the one as long as you have the other; and as robbers prove sometimes gallant soldiers, so soldiers often prove brave robbers; so near an alliance there is between those two sorts of life. But this bad custom, so common among you, of keeping many servants, is not peculiar to this nation. In France there is yet a more pestiferous sort of people, for the whole country is full of soldiers, still kept up in time of peace, if such a state of a nation can be called a peace: and these are kept in pay upon the same account that you plead for those idle retainers about noblemen; this being a maxim of those pretended statesmen, that it is necessary for the public safety to have a good body of veteran soldiers ever in readiness. They think raw men are not to be depended on; and they sometimes seek occasions for making war, that they may train up their soldiers in the art of cutting throats; or, as Sallust observed, for keeping their hands in use, that they may not grow dull by too long an intermission. But France has learned to its cost how dangerous it is to feed such beasts. The fate of the Romans, Carthaginians, and Syrians, and many other nations and cities, which were both overturned and quite ruined by those standing armies, should make others wiser. And the folly of this maxim of the French appears plainly, even from this, that their trained soldiers often find your raw men prove too hard for them; of which I will not say much, lest you may think I flatter the English. Every day's experience shews that the mechanics in the towns, or the clowns in the country, are not afraid of fighting with those idle gentlemen, if they are not disabled by some misfortune in their body, or dispirited by extreme want; so that you need not fear that those well-shaped and strong men (for it is only such that noblemen love to keep about them, till they spoil them), who now grow feeble with ease, and are softened with their effeminate manner of life, would be less fit for action if they were well bred and well employed. And it seems very unreasonable, that, for the prospect of a war, which you need never have but when you please, you should maintain so many idle men as will always disturb you in time of peace, which is ever to be more considered than war.

But I do not think that this necessity of stealing, arises only from hence; there is another cause of it more peculiar to England.—What is that? said the

Cardinal.—The increase of pasture,² said I, by which your sheep, which are naturally mild, and easily kept in order, may be said now to devour men, and unpeople, not only villages, but towns: for wherever it is found that the sheep of any soil yield a softer and richer wool than ordinary, there the nobility and gentry, and even those holy men the abbots, not contented with the old rents which their farms yielded, nor thinking it enough that they living at their ease, do no good to the public, resolve to do it hurt instead of good. They stop the course of agriculture, destroying houses and towns, reserving only the churches, and inclose grounds that they may lodge their sheep in them, as if forests and parks had swallowed up too little of the land, those worthy country men turn the best inhabited places into solitudes; for when an unsatiable wretch, who is a plague to his country, resolves to inclose many thousand acres of ground, the owners, as well as tenants, are turned out of their possessions, by tricks or by main force, or being wearied out with ill usage, they are forced to sell them. By which means those miserable people, both men and women, married and unmarried, old and young, with their poor, but numerous families (since country business requires many hands) are all forced to change their seats, not knowing whither to go; and they must sell, almost for nothing, their household stuff, which could not bring them much money, even though they might stay for a buyer: when that little money is at an end, for it will be soon spent, what is left for them to do, but either to steal and so to be hanged (God knows how justly) or to go about and beg? And if they do this, they are put in prison as idle vagabonds, while they would willingly work, but can find none that will hire them; for there is no more occasion for country labour, to which they have been bred, when there is no arable ground left. One shepherd can look after a flock which will stock an extent of ground that would require many hands, if it were to be ploughed and reaped. This likewise in many places raises the price of corn. The price of wool is also so risen, that the poor people who were wont to make cloth, are not more able to buy it; and this likewise makes many of them idle. For since the increase of pasture, God has punished the avarice of the owners by a rot among the sheep, which has destroyed vast numbers of them; to us it might have seemed more just had it fell on the owners themselves. But suppose the sheep should increase ever so much, their price is not like to fall; since though they cannot be called a monopoly, because they are not engrossed by one person, yet they are in so few hands and these are so rich, that as they are not pressed to sell them sooner than they have a mind to it, so they never do it till they have raised the price as high as possible. And on the same account it is that the other kinds of cattle are so dear, because many villages being pulled down, and all country labour being

² [The reference is to the enclosure movement.]

much neglected, there are none who make it their business to breed them. The rich do not breed cattle as they do sheep, but buy them lean, and at low prices; and after they have fattened them on their grounds, sell them again at high rates. And I do not think that all the inconveniences this will produce, are yet observed; for as they sell the cattle dear, so, if they are consumed faster than the breeding countries from which they are brought can afford them, then the stock must decrease, and this must needs end in great scarcity; and by these means, this your island, which seemed, as to this particular, the happiest in the world, will suffer much by the cursed avarice of a few persons; besides this, the rising of corn makes all people lessen their families as much as they can; and what can those who are dismissed by them do, but either beg or rob? And to this last, a man of a great mind is much sooner drawn than to the former. Luxury likewise breaks in apace upon you, to set forward your poverty and misery; there is an excessive vanity in apparel, and great cost in diet, and that not only in noblemen's families, but even among tradesmen, among the farmers themselves, and among all ranks of persons. You have also many infamous houses, and, besides those that are known, the taverns and ale-houses are no better; add to these, dice, cards, tables, foot-ball, tennis and coits, in which money runs fast away; and those that are initiated into them, must, in the conclusion, betake themselves to robbing for a supply. Banish these plagues, and give orders that those who have dispeopled so much soil, may either rebuild the villages they have pulled down, or let out their grounds to such as will do it. Restrain those engrossings of the rich, that are as bad almost as *monopolies*; leave fewer occasions to idleness; let agriculture be set up again, and the manufacture of the wool be regulated, that so there may be work found for those companies of idle people, whom want forces to be thieves, or who now being idle vagabonds, or useless servants, will certainly grow thieves at last. If you do not find a remedy to these evils, it is a vain thing to boast of your severity in punishing theft; which, though it may have the appearance of justice, yet in itself is neither just nor convenient: for, if you suffer your people to be ill educated, and their manners to be corrupted from their infancy, and then punish them for those crimes to which their first education disposed them, what else is to be concluded from this, but that you first make thieves and then punish them. . . .

It was no ill simile by which Plato set forth the unreasonableness of a philosopher's meddling with government. If a man, says he, was to see a great company run out every day into the rain, and take delight in being wet; if he knew that it would be to no purpose for him to go and persuade them to return to their houses, in order to avoid the storm, and that all that could be expected by his going to speak to them would be that he himself should be

as wet as they, it would be best for him to keep within doors; and since he had not influence enough to correct other people's folly, to take care to preserve himself.

Though to speak plainly my real sentiments, I must freely own that as long as there is any property, and while money is the standard of all other things, I cannot think that a nation can be governed either justly or happily: Not justly, because the best things will fall to the share of the worst men: Nor happily, because all things will be divided among a few (and even these are not in all respects happy), the rest being left to be absolutely miserable. Therefore when I reflect on the wise and good constitution of the Utopians, among whom all things are so well governed, and with so few laws; where virtue hath its due reward, and yet there is such an equality that every man lives in plenty: When I compare with them so many other nations that are still making new laws, and yet can never bring their constitution to a right regulation, where notwithstanding every one has his property; yet all the laws that they can invent have not the power either to obtain or preserve it, or even to enable men certainly to distinguish what is their own from what is another's; of which the many lawsuits that every day break out, and are eternally depending, give too plain a demonstration: When, I say, I balance all these things in my thoughts, I grow more favourable to Plato, and do not wonder that he resolved not to make any laws for such as would not submit to a community of all things: For so wise a man could not but foresee that the setting all upon a level was the only way to make a nation happy; which cannot be obtained so long as there is property: For when every man draws to himself all that he can compass, by one title or another, it must needs follow that, how plentiful soever a nation may be, yet a few dividing the wealth of it among themselves, the rest must fall into indigence. So that there will be two sorts of people among them who deserve that their fortunes should be interchanged; the former useless, but wicked and ravenous; and the latter, who by their constant industry serve the public more than themselves, sincere and modest men. From whence I am persuaded, that till property is taken away, there can be no equitable or just distribution of things, nor can the world be happily governed: for as long as that is maintained, the greatest and the far best part of mankind will be still oppressed with a load of cares and anxieties. I confess without taking it quite away, those pressures that lie on a great part of mankind may be made lighter; but they can never be quite removed. For if laws were made to determine at how great an extent in soil and at how much money every man must stop, to limit the prince that he might not grow too great, and to restrain the people that they might not become too insolent, and that none might factiously aspire to public employments; which ought neither to be sold, nor

made burthensome by a great expence; since otherwise those that serve in them, would be tempted to reimburse themselves by cheats and violence, and it would become necessary to find out rich men for undergoing those employments which ought rather to be trusted to the wise. These laws, I say, might have such effects, as good diet and care might have on a sick man, whose recovery is desperate; they might allay and mitigate the disease, but it could never be quite healed, nor the body politic be brought again to a good habit, as long as property remains; and it will fall out as in a complication of diseases, that by applying a remedy to one sore, you will provoke another; and that which removes the one ill symptom produces others, while the strengthening one part of the body weakens the rest.

On the contrary, answered I, it seems to me that men cannot live conveniently, where all things are common: How can there be any plenty, where every man will excuse himself from labour? For as the hope of gain doth not excite him, so the confidence that he has in other men's industry, may make him slothful; If people come to be pinched with want, and yet cannot dispose of any thing as their own, what can follow this, but perpetual sedition and bloodshed, especially when the reverence and authority due to magistrates falls to the ground? For I cannot imagine how that can be kept up among those that are in all things equal to one another.—I do not wonder, said he, that it appears so to you, since you have no notion, or at least no right one, of such a constitution: But if you had been in Utopia with me, and had seen their laws and rules, as I did, for the space of five years, in which I lived among them; and during which time I was so delighted with them, that indeed I should never have left them, if it had not been to make the discovery of that new world to the Europeans; you would then confess that you had never seen a people so well constituted as they.—You will not easily persuade me, said Peter, that any nation in that new world is better governed than those among us. For as our understandings are not worse than theirs, so our Government, if I mistake not, being more ancient, a long practice has helped us to find out many conveniences of life; and some happy chances have discovered other things to us, which no man's understanding could ever have invented.—As for the antiquity, either of their government, or of ours, said he, you cannot pass a true judgment of it, unless you had read their histories; for if they are to be believed, they had towns among them before these parts were so much as inhabited: and as for those discoveries that have been either hit on by chance, or made by ingenious men, these might have happened there as well as here. I do not deny but we are more ingenious than they are, but they exceed us much in industry and application. They knew little concerning us, before our arrival among them; they call us all by a general name of the

nations that lie beyond the equinoctial line; for their chronicle mentions a shipwreck that was made on their coast 1,200 years ago; and that some Romans and Egyptians that were in the ship, getting safe ashore, spent the rest of their days amongst them; and such was their ingenuity, that from this single opportunity, they drew the advantage of learning from those unlooked for guests, and acquired all the useful arts that were then among the Romans, and which were known to these shipwrecked men: and by the hints that they gave them, they themselves found out even some of those arts which they could not fully explain; so happily did they improve that accident, of having some of our people cast upon their shore. But if such an accident has at any time brought any from thence into Europe, we have been so far from improving it, that we do not so much as remember it; as in after times perhaps it will be forgot by our people that I was ever there. For though they from one such accident, made themselves masters of all the good inventions that were among us; yet I believe it would be long before we should learn or put in practice any of the good institutions that are among them: and this is the true cause of their being better governed, and living happier than we, though we come not short of them in point of understanding, or outward advantages.

Upon this I said to him, I earnestly beg you would describe that island very particularly to us. Be not too short, but set out in order all things relating to their soil, their rivers, their towns, their people, their manners, constitution, laws, and in a word, all that you imagine we desire to know: and you may well imagine that we desire to know every thing concerning them, of which we are hitherto ignorant.—I will do it very willingly, said he, for I have digested the whole matter carefully; but it will take up some time.—Let us go then, said I, first and dine, and then we shall have leisure enough. He consented. We went in and dined, and after dinner came back, and sat down in the same place. I ordered my servants to take care that none might come and interrupt us: and both Peter and I desired Raphael to be as good as his word: when he saw that we were very intent upon it, he paused a little to recollect himself, and began in this manner. . . .

There are fifty-four cities in the island, all large and well built: the manners, customs, and laws of which are the same, and they are all contrived as near in the same manner as the ground on which they stand will allow; the nearest lie at least twenty-four miles distance from one another, and the most remote are not so far distant but that a man can go on foot in one day from it to that which lies next it. Every city sends three of their wisest senators once a year to Amaurot, to consult about their common concerns, for that is the chief town of the island, being situated near the center of it, so that it is the most convenient place for their assemblies. The jurisdiction of every city extends at least

twenty miles: and where the towns lie wider, they have much more ground: no town desires to enlarge its bounds, for the people consider themselves rather as tenants than landlords. They have built over all the country, farm houses for husbandmen, which are well contrived, and are furnished with all things necessary for country labour. Inhabitants are sent by turns from the cities to dwell in them; no country family has fewer than forty men and women in it, besides two slaves. There is a master and mistress set over every family; and over thirty families there is a magistrate. Every year twenty of this family come back to the town, after they have stayed two years in the country: and in their room there are other twenty sent from the town, that they may learn country work, from those that have been already one year in the country, as they must teach those that come to them the next from the town. By this means, such as dwell in those country farms are never ignorant of agriculture, and so commit no errors, which might otherwise be fatal, and bring them under a scarcity of corn. But though there is every year such a shifting of the husbandmen to prevent any man being forced against his will to follow that hard course of life too long: yet many among them take such pleasure in it, that they desire leave to continue in it many years. These husbandmen till the ground, breed cattle, hew wood, and convey it to the towns, either by land or water, as is most convenient. . . . When they want any thing in the country which it does not produce, they fetch that from the town, without carrying any thing in exchange for it: and the magistrates of the town take care to see it given them: for they meet generally in the town once a month, upon a festival day. When the time of harvest comes, the magistrates in the country send to those in the towns, and let them know how many hands they will need for reaping the harvest; and the number they call for being sent to them, they commonly dispatch it all in one day. . . .

Thirty families choose every year a magistrate, who was anciently called the Syphogrant, but is now called the Philarch: and over every ten Syphogrants with the families subject to them, there is another magistrate, who was anciently called the Tranibore, but of late the Archphilarch. All the Syphogrants, who are in number 200, choose the prince out of a list of four, who are named by the people of the four divisions of the city, but they take an oath before they proceed to an election that they will choose him whom they think most fit for the office: they give their voices secretly, so that it is not known for whom every one gives his suffrage. The prince is for life, unless he is removed upon suspicion of some design to enslave the people. The Tranibors are new chosen every year, but yet they are for the most part continued: all their other magistrates are only annual. The Tranibors meet every third day, and oftener if necessary, and consult with the prince, either concerning the affairs of the

state in general, or such private differences as may arise sometimes among the people; though that falls out but seldom. There are always two Syphogrants called into the council-chamber, and these are changed every day. It is a fundamental rule of their government, that no conclusion can be made in any thing that relates to the public till it has been first debated three several days in their council. It is death for any to meet and consult concerning the state, unless it be either in their ordinary council, or in the assembly of the whole body of the people.

These things have been so provided among them, that the Prince and the Tranibors may not conspire together to change the government, and enslave the people; and therefore when any thing of great importance is set on foot, it is sent to the Syphogrants; who after they have communicated it to the families that belong to their divisions, and have considered it among themselves, make report to the senate; and upon great occasions, the matter is referred to the council of the whole island. One rule observed in their council is, never to debate a thing on the same day in which it is first proposed; for that is always referred to the next morning, that so men may not rashly, and in the heat of discourse, engage themselves too soon, which might bias them so much that instead of consulting the good of the public, they might rather study to support their first opinions; and by a perverse and preposterous sort of shame, hazard their country, rather than endanger their own reputation, or venture the being suspected to have wanted foresight in the expedients that they at first proposed. And therefore to prevent this, they take care that they may rather be deliberate, than sudden in their motions.

Agriculture is that which is so universally understood among them, that no person either man or woman, is ignorant of it; they are instructed in it from their childhood, partly by what they learn at school, and partly by practice; they being led out often into the fields, about the town, where they not only see others at work, but are likewise exercised in it themselves. Besides agriculture, which is so common to them all, every man has some peculiar trade to which he applies himself, such as the manufacture of wool or flax, masonry, smith's work, or carpenter's work; for there is no other sort of trade that is in great esteem among them. Throughout the island they wear the same sort of clothes without any other distinction, except what is necessary to distinguish the two sexes, and the married and unmarried. The fashion never alters; and as it is neither disagreeable nor uneasy, so it is suited to the climate, and calculated both for their summers and winters. Every family makes their own clothes; but all among them, women as well as men, learn one or other of the trades formerly mentioned. Women, for the most part, deal in wool and flax, which suit best with their weakness, leaving the ruder trades to the men. The same

trade generally passes down from father to son, inclinations often following descent: but if any man's genius lies another way, he is by adoption translated into a family that deals in the trade to which he is inclined: and when that is to be done, care is taken not only by his father, but by the magistrate, that he may be put to a discreet and good man. And if after a person has learned one trade, he desires to acquire another, that is also allowed, and is managed in the same manner as the former. When he has learned both, he follows that which he likes best, unless the public has more occasion for the other.

The chief, and almost the only business of the Syphogrants, is to take care that no man may live idle, but that every man may follow his trade diligently: yet they do not wear themselves out with perpetual toil, from morning to night, as if they were beasts of burden, which as it is indeed a heavy slavery, so it is every where the common course of life amongst all mechanics except the Utopians: but they dividing the day and night into twenty-four hours, appoint six of these for work; three of which are before dinner, and three after: they then sup, and at eight o'clock, counting from noon, go to bed and sleep eight hours. The rest of their time, besides that taken up in work, eating and sleeping is left to every man's discretion; yet they are not to abuse that interval to luxury and idleness, but must employ it in some proper exercise according to their various inclinations, which is for the most part reading. It is ordinary to have public lectures every morning before day-break; at which none are obliged to appear, but those who are marked out for literature; yet a great many, both men and women of all ranks, go to hear lectures of one sort or other, according to their inclinations. But if others, that are not made for contemplation, choose rather to employ themselves at that time in their trades, as many of them do, they are not hindered, but are rather commended, as men that take care to serve their country. After supper, they spend an hour in some diversion, in summer in their gardens, and in winter in the halls where they eat; where they entertain each other, either with music or discourse. They do not so much as know dice, or any such foolish and mischievous games: they have, however, two sorts of games not unlike our chess; the one is between several numbers, in which one number, as it were consumes another: the other resembles a battle between the virtues and the vices, in which the enmity in the vices among themselves, and their agreement against virtue is not unpleasantly represented, together with the special oppositions between the particular virtues and vices; as also the methods by which vice either openly assaults, or secretly undermines virtue; and virtue on the other hand resists it.

But the time appointed for labour is to be narrowly examined, otherwise you may imagine, that since there are only six hours appointed for work, they may fall under a scarcity of necessary provisions. But it is so far from being true

that this time is not sufficient for supplying them with plenty of all things, either necessary or convenient, that it is rather too much; and this you will easily apprehend, if you consider how great a part of all other nations is quite idle. First, women generally do little, who are the half of mankind; and if some few women are diligent, their husbands are idle: then consider the great company of idle priests, and of those that are called religious men; add to these all rich men, chiefly those that have estates in land, who are called noblemen and gentlemen, together with their families, made up of idle persons, that are kept more for show than use. Add to these, all those strong and lusty beggars, that go about pretending some disease, in excuse for their begging; and upon the whole account you will find that the number of those by whose labours mankind is supplied is much less than you perhaps imagined: then consider how few of those that work are employed in labours that are of real service: for we who measure all things by money give rise to many trades that are both vain and superfluous, and serve only to support riot and luxury. For if those who work were employed only in such things as the conveniences of life require, there would be such an abundance of them, that the prices of them would so sink, that tradesmen could not be maintained by their gains; if all those who labour about useless things were set to more profitable employments; and if all they that languish out their lives in sloth and idleness, every one of whom consumes as much as any two of the men that are at work, were forced to labour, you may easily imagine that a small proportion of time would serve for doing all that is either necessary, profitable, or pleasant to mankind, especially while pleasure is kept within its due bounds: this appears very plainly in Utopia, for there, in a great city, and in all the territory that lies round it, you can scarce find five hundred, either men or women, by their age and strength capable of labour, that are not engaged in it; even the Syphogrants, though excused by the law, yet do not excuse themselves, but work, that by their examples they may excite the industry of the rest of the people; the like exemption is allowed to those, who being recommended to the people by the priests, are by the secret suffrages of the Syphogrants privileged from labour, that they may apply themselves wholly to study; and if any of these fall short of those hopes that they seemed at first to give, they are obliged to return to work. And sometimes a mechanic that so employs his leisure hours as to make a considerable advancement in learning is eased from being a tradesman, and ranked among their learned men. Out of these they choose their ambassadors, their priests, their Tranibors, and the prince himself; anciently called their Barzenes, but he is called of late their Ademus.

And thus from the great numbers among them, that are neither suffered to be idle, nor to be employed in any fruitless labour, you may easily make the

estimate, how much may be done in those few hours in which they are obliged to labour. . . . Since they are all employed in some useful labour; and since they content themselves with fewer things, it falls out that there is a great abundance of all things among them; so that it frequently happens that for want of other work, vast numbers are sent out to mend the highways. But when no public undertaking is to be performed, the hours of working are lessened. The magistrates never engage the people in unnecessary labour, since the chief end of the constitution is to regulate labour by the necessities of the public, and to allow all the people as much time as is necessary for the improvement of their minds, in which they think the happiness of life consists.

But it is now time to explain to you the mutual intercourse of this people, their commerce, and the rules by which all things are distributed among them.

As their cities are composed of families, so their families are made up of those that are nearly related to one another. Their women, when they grow up, are married out; but all the males, both children and grandchildren, live still in the same house, in great obedience to their common parent, unless age has weakened his understanding; and in that case he that is next to him in age, comes in his room. But lest any city should become either too great, or by any accident be dispeopled, provision is made that none of their cities may contain above six thousand families, besides those of the country round it. No family may have less than ten, nor more than sixteen persons in it; but there can be no determined number for the children under age. This rule is easily observed by removing some of the children of a more fruitful couple to any other family that does not abound so much in them. By the same rule, they supply cities that do not increase so fast, from others that breed faster. And if there is any increase over the whole island, then they draw out a number of their citizens out of the several towns, and send them over to the neighbouring continent; where, if they find that the inhabitants have more soil than they can well cultivate, they fix a colony, taking the inhabitants into their society, if they are willing to live with them; and where they do that of their own accord, they quickly enter into their method of life, and conform to their rules, and this proves a happiness to both nations; for according to their constitution, such care is taken of the soil, that it becomes fruitful enough for both, though it might be otherwise too narrow and barren for any one of them. But if the natives refuse to conform themselves to their laws, they drive them out of those bounds which they mark out for themselves, and use force if they resist. For they account it a very just cause of war, for a nation to hinder others from possessing a part of that soil, of which they make no use, but which is suffered to lie idle and uncultivated; since every man has by the law of nature a right to

such a waste portion of the earth as is necessary for his subsistence. If an accident has so lessened the number of the inhabitants of any of their towns that it cannot be made up from the other towns of the island, without diminishing them too much, which is said to have fallen out but twice since they were first a people when great numbers were carried off by the plague; the loss is then supplied by recalling as many as are wanted from their colonies; for they will abandon these, rather than suffer the towns in the island to sink too low.

But to return to their manner of living in society: the eldest man of every family, as has been already said, is its governor. Wives serve their husbands, and children their parents, and always the younger serves the elder. Every city is divided into four equal parts, and in the middle of each there is a market-place: what is brought thither, and manufactured by the several families, is carried from thence to houses appointed for that purpose, in which all things of a sort are laid by themselves; and thither every father goes and takes whatsoever he or his family stand in need of, without either paying for it, or leaving any thing in exchange. There is no reason for giving a denial to any person, since there is such plenty of every thing among them: and there is no danger of a man's asking for more than he needs; they have no inducements to do this, since they are sure that they shall always be supplied: it is the fear of want that makes any of the whole race of animals, either greedy or ravenous; but besides fear, there is in man a pride that makes him fancy it a particular glory to excel others in pomp and excess. But by the laws of the Utopians [there is left] no room for this. Near these markets there are others for all sorts of provisions, where there are not only herbs, fruits, and bread, but also fish, fowl, and cattle. There are also, without their towns, places appointed near some running water, for killing their beasts, and for washing away their filth; which is done by their slaves: for they suffer none of their citizens to kill their cattle, because they think that pity and good nature, which are among the best of those affections that are born with us, are much impaired by the butchering of animals: nor do they suffer any thing that is foul or unclean to be brought within their towns, lest the air should be infected by ill smells which might prejudice their health. In every street there are great halls that lie at an equal distance from each other, distinguished by particular names. The Syphogrants dwell in those, that are set over thirty families, fifteen lying on one side of it, and as many on the other. In these halls they all meet and have their repasts. The stewards of every one of them come to the market-place at an appointed hour; and according to the number of those that belong to the hall, they carry home provisions. But they take more care of their sick than of any others: these are lodged and provided for in public hospitals: they have belonging to every town four hospitals, that are built without their walls; and

are so large, that they may pass for little towns: by this means, if they had ever such a number of sick persons, they could lodge them conveniently, and at such a distance, that such of them as are sick of infectious diseases may be kept so far from the rest that there can be no danger of contagion. The hospitals are furnished and stored with all things that are convenient for the ease and recovery of the sick; and those that are put in them, are looked after with such tender and watchful care, and are so constantly attended by their skilful physicians, that as none are sent to them against their will, so there is scarce one in a whole town, that if he should fall ill, would not choose rather to go thither, than lie sick at home.

After the steward of the hospitals has taken for the sick whatsoever the physician prescribes, then the best things that are left in the market are distributed equally among the halls, in proportion to their numbers, only, in the first place, they serve the prince, the chief priest, the Tranibors, the ambassadors, and strangers, if there are any, which indeed falls out but seldom, and for whom there are houses well furnished, particularly appointed for their reception when they come among them. At the hours of dinner and supper, the whole syphogranty being called together by sound of trumpet, they meet and eat together, except only such as are in the hospital, or lie sick at home. Yet after the halls are served, no man is hindered to carry provisions home from the market-place; for they know that none does that but for some good reason; for though any that will may eat at home, yet none does it willingly, since it is both ridiculous and foolish for any to give themselves the trouble to make ready an ill dinner at home; when there is a much more plentiful one made ready for him so near at hand. All the uneasy and sordid services about these halls, are performed by their slaves; but the dressing and cooking their meat, and the ordering their tables, belong only to the women, all those of every family taking it by turns. . . .

The Utopians wonder how any man should be so much taken with the glaring doubtful lustre of a jewel or a stone, that can look up to a star, or to the sun himself; or how any should value himself, because his cloth is made of a finer thread: for how fine soever that thread may be, it was once no better than the fleece of a sheep, and that sheep was a sheep still for all its wearing it. They wonder much to hear that gold, which in itself is so useless a thing, should be everywhere so much esteemed that even men for whom it was made, and by whom it has its value, should yet be thought of less value than this metal: that a man of lead, who has no more sense than a log of wood, and is as bad as he is foolish, should have many wise and good men to serve him, only because he has a great heap of that metal; and that if it should happen, that by some accident, or trick of law (which sometimes produces as great changes

as chance itself), all this wealth should pass from the master to the meanest varlet of his whole family, he himself would very soon become one of his servants, as if he were a thing that belonged to his wealth, and so were bound to follow its fortune. But they much more admire and detest the folly of those who when they see a rich man, though they neither owe him any thing, nor are in any sort dependent on his bounty, yet merely because he is rich, give him little less than divine honours; even though they know him to be so covetous and base minded, that notwithstanding all his wealth, he will not part with one farthing of it to them, as long as he lives. . . .

As to moral philosophy, they have the same disputes among them as we have here. They examine what are properly good, both for the body and the mind; and whether any outward thing can be called truly good, or if that term belong only to the endowments of the soul. They enquire likewise into the nature of virtue and pleasure; but their chief dispute is concerning the happiness of a man, and wherein it consists; whether in some one thing, or in a great many. They seem indeed more inclinable to that opinion that places, if not the whole, yet the chief part of a man's happiness in pleasure; and, what may seem more strange, they make use of arguments even from religion, notwithstanding its severity and roughness, for the support of that opinion, so indulgent to pleasure: for they never dispute concerning happiness without fetching some arguments from the principles of religion, as well as from natural reason; since without the former they reckon that all our enquiries after happiness must be but conjectural and defective.

These are their religious principles; that the soul of man is immortal, and that God of his goodness has designed that it should be happy; and that he has therefore appointed rewards for good and virtuous actions, and punishments for vice, to be distributed after this life. Though these principles of religion are conveyed down among them by tradition, they think that even reason itself determines a man to believe and acknowledge them: and freely confess that if these were taken away, no man would be so insensible as not to seek after pleasure by all possible means, lawful or unlawful; using only this caution, that a lesser pleasure might not stand in the way of a greater, and that no pleasure ought to be pursued that should draw a great deal of pain after it: for they think it the maddest thing in the world to pursue virtue, that is a sour and difficult thing; and not only to renounce the pleasures of life, but willingly to undergo much pain and trouble, if a man has no prospect of a reward. And what reward can there be for one that has passed his whole life, not only without pleasure, but in pain, if there is nothing to be expected after death? Yet they do not place happiness in all sorts of pleasures, but only in those that in themselves are good and honest.

There is a party among them who place happiness in bare virtue; others

think that our natures are conducted by virtue to happiness, as that which is the chief good of man. They define virtue thus, that it is a living according to nature; and think that we are made by God for that end; they believe that a man then follows the dictates of nature, when he pursues or avoids things according to the direction of reason: they say that the first dictate of reason is the kindling in us a love and reverence for the Divine Majesty, to whom we owe both all that we have, and all that we can ever hope for. In the next place, reason directs us to keep our minds as free from passion, and as cheerful, as we can; and that we should consider ourselves as bound by the ties of good nature and humanity, to use our utmost endeavors to help forward the happiness of all other persons: for there never was any man such a morose and severe pursuer of virtue, such an enemy to pleasure, that, though he set hard rules for men to undergo, much pain, many watchings, and other rigors, yet did not at the same time advise them to do all they could in order to relieve and ease the miserable, and who did not represent gentleness and good-nature as amiable dispositions. And from thence they infer that if a man ought to advance the welfare and comfort of the rest of mankind, there being no virtue more proper and peculiar to our nature than to ease the miseries of others, to free from trouble and anxiety, in furnishing them with the comforts of life, in which pleasure consists, nature much more vigorously leads him to do all this for himself. A life of pleasure is either a real evil (and in that case we ought not to assist others in their pursuit of it, but, on the contrary, to keep them from it all we can, as from that which is most hurtful and deadly), or if it is a good thing, so that we not only may, but ought, to help others to it, why then ought not a man to begin with himself; since no man can be more bound to look after the good of another than after his own; for nature cannot direct us to be good and kind to others, and yet at the same time to be unmerciful and cruel to ourselves? Thus, as they define virtue to be living according to nature, so they imagine that nature prompts all people on to seek after pleasure, as the end of all they do. They also observe, that in order to our supporting the pleasures of life, nature inclines us to enter into society; for there is no man so much raised above the rest of mankind as to be the only favorite of nature, who, on the contrary, seems to have placed on a level all those that belong to the same species. Upon this they infer that no man ought to seek his own conveniences so eagerly as to prejudice others; and therefore they think that not only all agreements between private persons ought to be observed, but likewise, that all those laws ought to be kept, which either a good prince has published in due form, or to which a people that is neither oppressed with tyranny, nor circumvented by fraud, has consented, for distributing those conveniences of life which afford us all our pleasures.

They think it is an evidence of true wisdom for a man to pursue his own

advantages, as far as the laws allow it. They account it piety to prefer the public good to one's private concerns; but they think it unjust for a man to seek for pleasure, by snatching another man's pleasures from him. And on the contrary, they think it a sign of a gentle and good soul, for a man to dispense with his own advantage for the good of others; and that by this means, a good man finds as much pleasure one way, as he parts with another; for as he may expect the like from others when he may come to need it, so if that should fail him, yet the sense of a good action, and the reflections that he makes on the love and gratitude of those whom he has so obliged, gives the mind more pleasure than the body could have found in that from which it had restrained itself: they are also persuaded that God will make up the loss of those small pleasures, with a vast and endless joy, of which religion easily convinces a good soul.

Thus upon an enquiry into the whole matter, they reckon that all our actions, and even all our virtues terminate in pleasure, as in our chief end and greatest happiness; and they call every motion or state, either of body or mind, in which nature teaches us to delight, a pleasure. Thus they cautiously limit pleasure only to those appetites to which nature leads us; for they say that nature leads us only to those delights to which reason as well as sense carries us, and by which we neither injure any other person, nor lose the possession of greater pleasures, and of such as draw no troubles after them; but they look upon those delights which men by a foolish, though common, mistake, call pleasure, as if they could change as easily the nature of things, as the use of words, as things that greatly obstruct their real happiness, instead of advancing it, because they so entirely possess the minds of those that are once captivated by them, with a false notion of pleasure, that there is no room left for pleasures of a truer or purer kind. . . .

They reckon up several sorts of pleasures, which they call true ones: some belong to the body, and others to the mind. The pleasures of the mind lie in knowledge, and in that delight which the contemplation of truth carries with it; to which they add the joyful reflections on a well-spent life, and the assured hopes of a future happiness. They divide the pleasures of the body into two sorts; the one is that which gives our senses some real delight, and is performed, either by recruiting nature, and supplying those parts which feed the internal heat of life by eating and drinking; or when nature is eased of any surcharge that oppresses it; when we are relieved from sudden pain, or that which arises from satisfying the appetite which nature has wisely given to lead us to the propagation of the species. There is another kind of pleasure that arises neither from our receiving what the body requires, nor its being relieved when overcharged, and yet by a secret, unseen virtue affects the senses, raises the passions, and strikes the mind with generous impressions; this is the

pleasure that arises from music. Another kind of bodily pleasure is that which results from an undisturbed and vigorous constitution of body, when life and active spirits seem to actuate every part. This lively health, when entirely free from all mixture of pain, of itself gives an inward pleasure, independent of all external objects of delight; and though this pleasure does not so powerfully affect us, nor act so strongly on the senses as some of the others, yet it may be esteemed as the greatest of all pleasures, and almost all the Utopians reckon it the foundation and basis of all the other joys of life; since this alone makes the state of life easy and desirable; and when this is wanting, a man is really capable of no other pleasure. . . .

But of all pleasures, they esteem those to be most valuable that lie in the mind; the chief of which arise out of true virtue, and the witness of a good conscience. They account health the chief pleasure of eating and drinking, and all the other delights of sense are only so far desirable as they give or maintain health: but they are not pleasant in themselves, otherwise than as they resist those impressions that our natural infirmities are still making upon us; for as a wise man desires rather to avoid diseases than to take physic; and to be free from pain, rather than to find ease by remedies; so it is more desirable, not to need this sort of pleasure, than to be obliged to indulge it. If any man imagines that there is a real happiness in these enjoyments, he must then confess that he would be the happiest of all men if he were to lead his life in perpetual hunger, thirst, and itching, and by consequence in perpetual eating, drinking, and scratching himself; which any one may easily see would be not only a base but a miserable state of a life. These are indeed the lowest of pleasures, and the least pure: for we can never relish them, but when they are mixed with the contrary pains. . . . But they think it madness for a man to wear out the beauty of his face, or the force of his natural strength; to corrupt the sprightliness of his body by sloth and laziness, or to waste it by fasting; that it is madness to weaken the strength of his constitution, and reject the other delights of life; unless by renouncing his own satisfaction, he can either serve the public or promote the happiness of others, for which he expects a greater recompence from God. So that they look on such a course of life as the mark of a mind that is both cruel to itself, and ungrateful to the Author of nature, as if we would not be beholden to him for his favors, and therefore reject all his blessings; as one who should afflict himself for the empty shadow of virtue; or for no better end than to render himself capable of bearing these misfortunes which possibly will never happen.

This is their notion of virtue and of pleasure; they think that no man's reason can carry him to a truer idea of them, unless some discovery from heaven should inspire him with sublimer notions. . . .

If any man aspires to any office, he is sure never to compass it: they all live easily together, for none of the magistrates are either insolent or cruel to the people: they affect rather to be called fathers, and by being really so, they well deserve the name; and the people pay them all the marks of honor the more freely, because none are exacted from them. The prince himself has no distinction, either of garments, or of a crown; but is only distinguished by a sheaf of corn carried before him; as the high priest is also known by his being preceded by a person carrying a wax light.

They have but a few laws, and such is their constitution that they need not many. They very much condemn other nations, whose laws, together with the commentaries on them, swell up to so many volumes; for they think it an unreasonable thing to oblige men to obey a body of laws that are both of such a bulk and so dark as not to be read and understood by every one of the subjects.

They have no lawyers among them, for they consider them as a sort of people, whose profession it is to disguise matters and to wrest the laws; and therefore they think it is much better that every man should plead his own cause, and trust it to the judge, as in other places the client trusts it to a counsellor. By this means they both cut off many delays and find out truth more certainly: for after the parties have laid open the merits of the cause, without those artifices which lawyers are apt to suggest, the judge examines the whole matter, and supports the simplicity of such well-meaning persons, whom otherwise crafty men would be sure to run down: and thus they avoid those evils which appear very remarkably among all those nations that labor under a vast load of laws. Every one of them is skilled in their law, for as it is a very short study, so the plainest meaning of which words are capable is always the sense of their laws. And they argue thus; all laws are promulgated for this end, that every man may know his duty; and therefore the plainest and most obvious sense of the words is that which ought to be put upon them; since a more refined exposition cannot be easily comprehended, and would only serve to make the laws become useless to the greater part of mankind, and especially to those who need most the direction of them: for it is all one, not to make a law at all, or to couch it in such terms, that without a quick apprehension, and much study, a man cannot find out the true meaning of it; since the generality of mankind are both so dull, and so much employed in their several trades, that they have neither the leisure nor the capacity requisite for such an enquiry. . . .

There are several sorts of religions, not only in different parts of the island, but even in every town; some worshipping the sun, others the moon, or one of the planets: some worship such men as have been eminent in former times for virtue, or glory, not only as ordinary deities, but as the supreme God: Yet

the greater and wiser sort of them worship none of these, but adore one eternal, invisible, infinite, and incomprehensible Deity; as a Being that is far above all our apprehensions, that is spread over the whole universe, not by his bulk, but by his power and virtue: him they call the Father of all, and acknowledge that the beginnings, the encrease, the progress, the vicissitudes, and the end of all things come only from him; nor do they offer divine honors to any but to him alone. And indeed, though they differ concerning other things, yet all agree in this; that they think there is one Supreme Being that made and governs the world, whom they call in the language of their country, Mithras. They differ in this, that one thinks the God whom he worships is this Supreme Being, and another thinks that his idol is that God; but they all agree in one principle that whoever is this Supreme Being, he is also that great essence, to whose glory and majesty all honors are ascribed by the consent of all nations.

By degrees, they fall off from the various superstitions that are among them, and grow up to that one religion that is the best and most in request and there is no doubt to be made, but that all the others had vanished long ago, if some of those who advised them to lay aside their superstitions had not met with some unhappy accidents, which being considered as inflicted by heaven, made them afraid that the god whose worship had like to have been abandoned, had interposed, and revenged themselves on those who despised their authority.

After they had heard from us, an account of the doctrine, the course of life, and the miracles of Christ, and of the wonderful constancy of so many martyrs, whose blood, so willingly offered up by them, was the chief occasion of spreading their religion over a vast number of nations, it is not to be imagined how inclined they were to receive it. I shall not determine whether this proceeded from any secret inspiration of God, or whether it was because it seemed so favorable to that community of goods, which is an opinion so particular, as well as so dear to them; since they perceived that Christ and his followers lived by that rule: and that it was still kept up in some communities among the sincerest sort of Christians. From whichever of these motives it might be, true it is that many of them came over to our religion, and were initiated into it by baptism. But as two of our number were dead, so none of the four that survived, were in priests orders; we therefore could only baptize them; so that to our great regret, they could not partake of the other sacraments, that can only be administered by priests: But they are instructed concerning them, and long most vehemently for them. They have had great disputes among themselves, whether one chosen by them to be a priest would not be thereby qualified to do all the things that belong to that character, even though he had no authority derived from the pope; and they seemed to be resolved to choose some for that employment, but they had not done it when I left them.

Those among them that have not received our religion, do not fright any from it, and use none ill that goes over to it; so that all the while I was there, one man was only punished on this occasion. He being newly baptized, did, notwithstanding all that we could say to the contrary, dispute publicly concerning the Christian religion, with more zeal than discretion; and with so much heat, that he not only preferred our worship to theirs, but condemned all their rights as profane; and cried out against all that adhered to them, as impious and sacrilegious persons, that were to be damned to everlasting burnings. Upon his having frequently preached in this manner, he was seized, and after trial, he was condemned to banishment, not for having disparaged their religion, but for his inflaming the people to sedition: for this is one of their most ancient laws, that no man ought to be punished for his religion. At the first constitution of their government, Utopus having understood that, before his coming among them, the old inhabitants had been engaged in great quarrels concerning religion, by which they were so divided among themselves that he found it an easy thing to conquer them, since instead of uniting their forces against him, every different party in religion fought by themselves: after he had subdued them, he made a law that every man might be of what religion he pleased, and might endeavor to draw others to it by the force of argument, and by amicable and modest ways, but without bitterness against those of other opinions; but that he ought to use no other force but that of persuasion; and was neither to mix with it reproaches nor violence; and such as did otherwise were to be condemned to banishment or slavery.

This law was made by Utopus, not only for preserving the public peace, which he saw suffered much by daily contentions and irreconcilable heats, but because he thought the interest of religion itself required it. He judged it not fit to determine any thing rashly; and seemed to doubt whether those different forms of religion might not all come from God, who might inspire men in a different manner, and be pleased with this variety; he therefore thought it indecent and foolish for any man to threaten and terrify another to make him believe what did not appear to him to be true. And supposing that only one religion was really true, and the rest false, he imagined that the native force of truth would at last break forth and shine bright, if supported only by the strength of argument, and attended to with a gentle and unprejudiced mind; while, on the other hand, if such debates were carried on with violence and tumults, as the most wicked are always the most obstinate, so the best and most holy religion, might be choked with superstition, as corn is with briars and thorns; he therefore left men wholly to their liberty, that they might be free to believe as they should see cause; only he made a solemn and severe law against such as should so far degenerate from the dignity of human nature

as to think that our souls died with our bodies, or that the world was governed by chance, without a wise over-ruling Providence; for they all formerly believed that there was a state of rewards and punishments to the good and bad after this life; and they now look on those that think otherwise as scarce fit to be counted men, since they degrade so noble a being as the soul, and reckon it no better than a beast's: thus they are far from looking on such men as fit for human society, or to be citizens of a well-ordered commonwealth; since a man of such principles must needs, as oft as he dares do it, despise all their laws and customs: for there is no doubt to be made that a man who is afraid of nothing but the law, and apprehends nothing after death, will not scruple to break through all the laws of his country, either by fraud or force, when by this means he may satisfy his appetites. They never raise any that hold these maxims, either to honors or offices, nor employ them in any public trust, but despise them, as men of base and sordid minds: yet they do not punish them, because they lay this down as a maxim, that a man cannot make himself believe any thing he pleases; nor do they drive any to dissemble their thoughts by threatenings, so that men are not tempted to lie or disguise their opinions; which being a sort of fraud, is abhorred by the Utopians: they take care indeed to prevent their disputing in defence of these opinions, especially before the common people: but they suffer and even encourage them to dispute concerning them in private with their priests, and other grave men, being confident that they will be cured of those mad opinions, by having reason laid before them. There are many among them that run far to the other extreme, though it is neither thought an ill nor unreasonable opinion, and therefore is not at all discouraged. . . .

Thus have I described to you, as particularly as I could, the constitution of that commonwealth, which I do not only think the best in the world, but indeed the only commonwealth that truly deserves that name. In all other places, it is visible that while people talk of a commonwealth, every man only seeks his own wealth: but there, where no man has any property, all men zealously pursue the good of the public. And indeed it is no wonder to see men act so differently; for in other commonwealths, every man knows that unless he provides for himself, how flourishing soever the commonwealth may be, he must die of hunger; so that he sees the necessity of preferring his own concerns to the public. But in Utopia, where every man has a right to every thing, they all know that if care is taken to keep the public stores full, no private man can want any thing; for among them there is no unequal distribution, so that no man is poor, none in necessity; and though no man has any thing, yet they are all rich; for what can make a man so rich as to lead a serene and cheerful life, free from anxieties; neither apprehending want himself, nor vexed with the

endless complaints of his wife? He is not afraid of the misery of his children, nor is he contriving how to raise a portion for his daughters, but is secure in this, that both he and his wife, his children and grand children, to as many generations as he can fancy, will all live, both plentifully and happily; since among them there is no less care taken of those who were once engaged in labor, but grow afterwards unable to follow it, than there is elsewhere of these that continue still employed. I would gladly hear any man compare the justice that is among them with that of all other nations; among whom, may I perish, if I see any thing that looks either like justice or equity. For what justice is there in this, that a nobleman, a goldsmith, a banker, or any other man, that either does nothing at all, or at best is employed in things that are of no use to the public, should live in great luxury and splendor upon what is so ill acquired, and a mean man—a carter, a smith, or a ploughman—that works harder even than the beasts themselves, and is employed in labors so necessary that no commonwealth could hold out a year without them, can only earn so poor a livelihood, and must lead so miserable a life, that the condition of the beasts is much better than theirs? For as the beasts do not work so constantly, so they feed almost as well, and with more pleasure, and have no anxiety about what is to come; whilst these men are depressed by a barren and fruitless employment, and tormented with the apprehensions of want in their old age; since that which they get by their daily labor does but maintain them at present, and is consumed as fast as it comes in; there is no overplus left to lay up for old age.

Is not that government both unjust and ungrateful that is so prodigal of its favors to those that are called gentlemen, or goldsmiths, or such others who are idle, or live either by flattery or by contriving the arts of vain pleasure; and, on the other hand, takes no care of those of a meaner sort, such as ploughmen, colliers, and smiths, without whom it could not subsist? But after the public has reaped all the advantage of their service, and they come to be oppressed with age, sickness, and want, all their labors, and the good they have done, is forgotten; and all the recompense given them is that they are left to die in great misery. The richer sort are often endeavoring to bring the hire of laborers lower, not only by their fraudulent practices, but by the laws which they procure to be made to that effect: so that though it is a thing most unjust in itself, to give such small rewards to those who deserve so well of the public, yet they have given those hardships the name and color of justice, by procuring laws to be made for regulating them.

Therefore I must say, that, as I hope for mercy, I can have no other notion of all the other governments that I see or know, than that they are a conspiracy of the rich, who, in pretence of managing the public, only pursue their private ends, and devise all the ways and arts they can find out; first, that they

may, without danger, preserve all that they have so ill acquired, and then, that they may engage the poor to toil and labor for them at as low rates as possible, and oppress them as much as they please. And if they can but prevail to get these contrivances established, by the show of public authority, which is considered as the representative of the whole people, then they are accounted laws. Yet these wicked men, after they have, by a most insatiable covetousness, divided that among themselves with which all the rest might have been well supplied, are far from that happiness that is enjoyed among the Utopians; for the use as well as the desire of money being extinguished, much anxiety, and great occasions of mischief, is cut off with it. And who does not see that the frauds, thefts, robberies, quarrels, tumults, contentions, seditions, murders, treacheries, and witchcrafts, which are indeed rather punished than restrained by the severities of law, would all fall off, if money were not any more valued by the world? Men's fears, solitudes, cares, labors, and watchings, would all perish in the same moment with the value of money. Even poverty itself, for the relief of which money seems most necessary, would fall. But, in order to the apprehending this aright, take one instance:

Consider any year that has been so unfruitful that many thousands have died of hunger; and yet, if at the end of that year a survey was made of the granaries of all the rich men that have hoarded up the corn, it would be found that there was enough among them to have prevented all that consumption of men that perished in misery; and that if it had been distributed among them, none would have felt the terrible effects of that scarcity: so easy a thing would it be to supply all the necessities of life, if that blessed thing called money, which is pretended to be invented for procuring them was not really the only thing that obstructed their being procured.

I do not doubt but rich men are sensible of this, and that they well know how much a greater happiness it is to want nothing necessary, than to abound in many superfluities; and to be rescued out of so much misery, than to abound with so much wealth. And I cannot think but the sense of every man's interest, added to the authority of Christ's commands, who as he was infinitely wise, knew what was best, and was not less good in discovering it to us, would have drawn all the world over to the laws of the Utopians, if pride, that plague of human nature, that source of so much misery, did not hinder it: for this vice does not measure happiness so much by its own conveniences, as by the miseries of others; and would not be satisfied with being thought a goddess, if none were left that were miserable, over whom she might insult. Pride thinks its own happiness shines the brighter, by comparing it with the misfortunes of other persons; that by displaying its own wealth, they may feel their poverty the more sensibly. This is that infernal serpent that creeps into the breasts of

mortals, and possesses them too much to be easily drawn out: and therefore I am glad that the Utopians have fallen upon this form of government, in which I wish that all the world could be so wise as to imitate them: for they have indeed laid down such a scheme and foundation of policy, that as men live happily under it, so it is like to be of great continuance; for they having rooted out of the minds of their people, all the seeds, both of ambition and faction, there is no danger of any commotions at home; which alone has been the ruin of many states, that seemed otherwise to be well secured; but as long as they live in peace at home, and are governed by such good laws, the envy of all their neighboring princes, who have often though in vain attempted their ruin, will never be able to put their state into any commotion or disorder.

VII

THE REFORMATION AND NATIONAL CHURCHES

WYCLIFFE AND HUS CONDEMNATIONS

THE VARIED ROOTS of the Protestant Reformation run far back into the Middle Ages. On its religious side, Protestantism is the upshot of medieval heresy, which is as old as the medieval Church. Foremost among medieval reformers and precursors of the Reformation were the English John Wycliffe (c. 1320-84) and his Bohemian disciple John Hus (c. 1373-1415). Wycliffe and Hus were national patriots as well as reformers; and theologically both, like other reformers before and after, took their inspiration from St. Augustine. Wycliffe, who taught at Oxford, emerged as a champion of national independence in attacking the papacy for its attempt to collect tribute promised it by King John a century and a half before. This position enabled him to enjoy lifelong protection against the papal denunciations which his religious principles aroused. Priests and sacraments he subordinated to the Christian individual's direct relation to God, and he conceived of the true church not as the Roman Church but as the body of all who were destined for salvation. He stressed the Bible as the primary authority, and supervised the first complete translation of the Bible into English. The followers of Wycliffe, the Lollards, suffered persecution long after his death.

Wycliffe's writings, carried to Bohemia, were studied by Hus, rector of the recently founded University of Prague. Hus's life was a series of struggles with ecclesiastical and secular officials. Invited in 1414 to the Council of Constance (in Germany), Hus willingly came, only to be plunged into a trial for heresy. Asked to abjure and publicly recant his views, he refused, even after a month of determined urging, on the ground that they had not been proved to be errors. On June 24, 1415, his books were burned. On July 6, in the presence of the Emperor Sigismund and the full council, he was sentenced, and the same day burnt at the stake. His ashes were thrown into the Rhine, the council having shortly before also decreed that the remains of Wycliffe should be dug up and burned. Honoring the martyr as a national hero, Hus's followers, protesting against the action of the council, for eight years successfully carried on a war against the forces of the emperor and pope.

The following selections are taken from H. Gee and W. J. Hardy, *Documents Illustrative of English Church History* (Macmillan, 1896); H. Bettenson, *Documents of the Christian Church* (Oxford University Press, 1943); and B. J. Kidd, *Documents Illustrative of the History of the Church* (Macmillan, 1941), Vol. III.



*WYCLIFFE PROPOSITIONS CONDEMNED
AT LONDON, 1382*

HERETICAL CONCLUSIONS REPUGNANT TO THE CHURCH'S DETERMINATION . . .

3. THAT CHRIST is not in the Sacrament of the altar essentially, truly, and really, in His own corporal presence. 4. That if bishop or priest be in mortal sin he cannot ordain, consecrate, or baptize. 5. That if a man be properly repentant all outward confession is superfluous or useless for him. 6. To affirm constantly that it was not set down in the Gospel that Christ ordained the Mass. 8. That if the pope be an abandoned or evil man, and so a member of the Devil, he has not power over the faithful of Christ granted him by any, save perhaps by Caesar. 9. That after Urban VI no one is to be regarded as pope, but we must live like the Greeks under our own laws. 10. To assert that it is contrary to Holy Scripture that ecclesiastical men should have temporal possessions.

ERRONEOUS CONCLUSIONS REPUGNANT TO THE CHURCH'S DETERMINATION . . .

11. That no prelate ought to excommunicate any unless he first knows that he is excommunicated by God. 12. That if he excommunicates he is thereby a heretic or excommunicate. 13. That a prelate excommunicating a clerk who has appealed to the king and the council of the realm is thereby a traitor to God, king, and realm. 14. That those who cease to preach or hear the Word of God or the Gospel preached on account of the excommunication of men are excommunicate, and on the day of judgment will be held traitors to God. 15. To assert that it is lawful to any deacon or priest to preach the Word of God without the authority of the Apostolic See, or a catholic bishop, or some other [authority] sufficiently sure. 16. To assert that no one is civil lord, bishop, or prelate while he is in mortal sin. 17. That temporal lords can at their will take away temporal goods from ecclesiastics habitually sinful, or that the public may at their will correct sinful lords. 18. That tithes are pure alms, and that parishioners can withhold them for the sins of their curates, and confer them at pleasure on others. 19. That special prayers restricted to one person by prelates or religious do no more avail the same person, other things being equal, than general prayers. 20. That the very fact of a man entering any private religion [i.e. religious house] makes him more foolish and unfit for performing God's commandment. 21. That holy men endowing private religions, as well of

possessioners as of mendicants, have sinned in so endowing. 22. That the religious living in private religions are not of the Christian religion. 23. That friars are bound to get their living by the labour of their hands and not by mendicancy. 24. That he who gives alms to friars or a preaching friar is excommunicate, and he who takes them.

*WYCLIFFE AND LOLLARD PROPOSITIONS CON-
DEMNED AT COUNCIL OF CONSTANCE, 1415*

28. THAT THE CONFIRMATION of young men, the ordination of clerics, the consecration of places are reserved for the Pope and bishops on account of the desire for temporal gain and honour. 30. That the excommunication of the Pope or of any prelate is not to be feared, because it is the censure of antichrist. 34. That all of the order of mendicants are heretics. 35. That the Roman Church is the synagogue of Satan, and the Pope is not the next and immediate vicar of Christ and the Apostles. 42. That it is fatuous to believe in the indulgences of the Pope and the bishops. 43. That all oaths made to corroborate human contracts and civil business are unlawful.

*HUS PROPOSITIONS CONDEMNED
AT CONSTANCE*

1. THAT THE CHURCH is the whole body of all the predestinate. 9. That Peter never was, and is not, the head of the Church. 10. That if the Vicar of Christ imitates the life of Christ, he is His Vicar. 12. That the Papacy took its origin from the Imperial power. 17. That Cardinals are not true successors of the Apostles unless they live like the Apostles. 18. That heretics should be censured by the Church, but not handed over [to the secular power] to be burnt.

JOHN HUS

ALREADY DISTINGUISHED as rector of the University of Prague, John Hus came into special prominence from 1403 as preacher in the Czech language in Bethlehem chapel. Here he advocated practices which, had they been fully carried out, would have led to the development of a national church. In 1412 Hus attacked the sale of indulgences in the streets of Prague. Pope John XXIII had authorized this sales campaign in order to finance a crusade against Ladislaus, king of Naples. Among the clergy and men of learning Hus found little support, but he retained his popular support. When he was excommunicated, the people still flocked to his chapel. As a result the entire city of Prague was placed under the ban. Then Hus left Prague and spent two years in the country, sheltered by the Bohemian nobility. He left this rustic retreat to face the Council of Constance in 1414.

Eight members of the faculty of theology of the University of Prague wrote a document that attacked Hus's position on the papal authorization of the sale of indulgences, asserted the duty of absolute obedience to the pope and other ecclesiastical superiors, and condemned Wycliffe's forty-five articles as heretical. The authors demanded that the kingdom of Bohemia should be cleared of the taint of heresy, if necessary by the enforcement of the severest of ecclesiastical and civil punishments. The *Treatise on the Church* (*De Ecclesia*) began merely as a reply to this document, but it grew in the writing into the most complete expression of Hus's views and a defense of his lifework. Structurally the work reveals its origin by taking up each of the positions asserted by his critics and discussing it, but the discussion in each case goes far beyond a reply to these attacks to make a full statement of Hus's positive stand.

Hus returned to an Augustinian view of the church as the body of those in heaven, on earth, and in purgatory who were predestined to salvation. Thus the church is not identical with the Roman Church; it is the body over which Christ has jurisdiction, not the body under the authority of the apostolic see. The bond that holds the church together is not the ecclesiastical hierarchy but God's predestinating grace. The pope is nominally the head of the Roman Church, but the true head of the church on earth is Jesus Christ. It is, therefore, Hus declared, not always necessary to obey papal decrees. Furthermore, Hus did not accept the view that the Roman Church was incapable of error; in fact, he repeated the story that there had been a woman pope as evidence of the fallibility of the Church. The authority of Church dignitaries is not inherent in their offices but is attested to by the purity of their lives. Even all priestly acts and the sacraments themselves are to be regarded as invalid unless the life of the officiant priest conforms to the law of Christ. In all these positions, Hus pointed to the right of private judgments, based upon the supreme authority of Scripture, and away from the duty of implicit obedience to the pope and the Roman hierarchy.

The selections that follow are from *The Church* (Charles Scribner's Sons, New York, 1915), translated by David S. Schaff from the Latin edition of 1715 (verbally

identical with the original printed edition of 1558), *Historia et Monumenta J. Hus*, Vol. I.



THE CHURCH

. . . FOR THE REASON that believing is an act of faith, that is, to put trust in—*fidere*—therefore know that to believe that which is necessary for a man to secure blessedness is to adhere firmly and without wavering to the truth spoken as by God. For this truth, because of its certitude, a man ought to expose his life to the danger of death. And, in this way, every Christian is expected to believe explicitly and implicitly all the truth which the Holy Spirit has put in Scripture, and in this way a man is not bound to believe the sayings of the saints which are apart from Scripture, nor should he believe papal bulls, except in so far as they speak out of Scripture, or in so far as what they say is founded in Scripture simply. But a man may believe bulls as probable, for both the pope and his curia make mistakes from ignorance of the truth. And, with reference to this ignorance, it can be substantiated that the pope makes mistakes and may be deceived. Lucre deceives the pope, and he is deceived through ignorance. How far, however, faith ought to be placed in the letters of princes, the instruments of notaries, and the descriptions of men, experience, which is the teacher of things, teaches. For she teaches that these three often make mistakes. Of one kind is the faith which is placed in God. He cannot deceive or be deceived; of another is the faith placed in the pope, who may deceive and be deceived. Of one kind is the faith placed in holy Scripture; and another, faith in a bull thought out in a human way. For to holy Scripture exception may not be taken, nor may it be gainsaid; but it is proper at times to take exception to bulls and gainsay them when they either commend the unworthy or put them in authority, or savor of avarice, or honor the unrighteous or oppress the innocent, or implicitly contradict the commands or counsels of God. . . .

To this the conclusion follows, namely: "To be subject to the Roman pontiff is necessary for salvation for every human being." But there is no other such pontiff except the Lord Jesus Christ himself, our pontiff. This is so because the humanity of Christ is not subject to any other pontiff as of necessity to salvation, inasmuch as God hath exalted him and given him a name which is to be the most worthy above every other name, that at the name of Jesus every knee should bow and every power bend in obedience to him "of things in heaven," that is, the angels; "things on the earth," that is, all men; and "of things in

hell," that is, the devils. And it is also so because Christ's mother was a human being; John the Baptist also, Peter the apostle, and other saints now in heaven, and for none of these was it necessary for salvation to be subject to any other Roman pontiff besides Christ, seeing that they are already saved, persons whom no Roman pontiff can loose or bind. . . .

When we have kept all his precepts, and shall have humbled our souls before this High Priest—knowing that it is possible that our pontiffs may be thieves and robbers—this Bishop of our souls will not fail us in things necessary to salvation, but will pasture, guard, and feed his sheep as a truly good Shepherd. . . .

The . . . doctors lay down in their writing that

the pope is head of the Roman Church and the college of cardinals the body, and that they are very successors and princes of the apostle Peter and the college of Christ's other apostles in ecclesiastical office for the purpose of discerning and defining all Catholic and Church matters, correcting and purging all errors in respect to them and, in all these matters, to have the care of all the churches and of all the faithful of Christ. For in order to govern the Church throughout the whole world it is fitting there should always continue to be such manifest and true successors in the office of Peter, the prince of the apostles, and of the college of the other apostles of Christ. And such successors cannot be found or procured on the earth other than the pope, the existing head, and the college of cardinals, the existing body, of the aforesaid Roman Church.

These follies, long drawn out, which, I think, proceeded for the most part from the brain of Stanislaus, overcome and terrified by the Roman curia, involve many points. And in regard to these, I note that in their writing the church is taken to mean all Christian pilgrims. They seem to admit this when they say that "the body of the clergy in the kingdom of Bohemia, not only with the whole body of clergy in the world but also with the whole body of Christendom, always feels and believes as the faith dictates, just as the Roman Church does." Or, secondly, these doctors call the pope, together with his cardinals, alone the Roman Church, when they say that they believe just as the Roman Church believes and not otherwise, the pope being the head of this Roman Church and the cardinals the body. In these ways only, so far as I can see, do the doctors designate the church in their writing.

I assume that the pope stands for that spiritual bishop who, in the highest way and in the most similar way, occupies the place of Christ, just as Peter did after the ascension. But if any person whatsoever is to be called pope—whom the Western Church accepts as Roman bishop—appointed to decide as the final court ecclesiastical cases and to teach the faithful whatever he wishes, then there is an abuse of the term, because according to this view, it would be necessary in cases to concede that the most unlettered layman or a female, or a heretic

and antichrist, may be pope. This is plain, for Constantine II, an unlettered layman, was suddenly ordained a priest and through ambition made pope and then was deposed and all the things which he ordained were declared invalid, about A.D. 707. And the same is plain from the case of Gregory, who was unlettered and consecrated another in addition to himself. And as the people were displeased with the act, a third pope was superinduced. Then these quarrelling among themselves, the emperor came to Rome and elected another as sole pope. As for a female, it is plain in the case of Agnes, who was called John Anglicus, and of her Castrensis, 5:3, writes:

A certain woman sat in the papal chair two years and five months, following Leo. She is said to have been a girl, called Agnes, of the nation of Mainz, was led about by her paramour in a man's dress in Athens and named John Anglicus. She made such progress in different studies that, coming to Rome, she read the trivium to an audience of great teachers. Finally, elected pope, she was with child by her paramour, and, as she was proceeding from St. Peter's to the Lateran, she had the pains of labor in a narrow street between the Colosseum and St. Clement's and gave birth to a child. Shortly afterward she died there and was buried. For this reason it is said that all the popes avoid this street. Therefore, she is not put down in the catalogue of popes.

As for a heretic occupying the papal chair we have an instance in Liberius, of whom Castrensis writes, IV [Rolls Ser., 5:158], that at Constantius's command he was exiled for three years because he wished to favor the Arians. At the counsel of the same Constantius, the Roman clergy ordained Felix pope who, during the sessions of a synod, condemned and cast out two Arian presbyters, Ursacius and Valens, and when this became known, Liberius was recalled from exile, and being wearied by his long exile and exhilarated by the reoccupation of the papal chair, he yielded to heretical depravity; and when Felix was cast down, Liberius with violence held the church of Peter and Paul and St. Lawrence so that the clergy and priests who favored Felix were murdered in the church, and Felix was martyred, Liberius not preventing.

As for antichrist occupying the papal chair, it is evident that a pope living contrary to Christ, like any other perverted person, is called by common consent antichrist. In accordance with John 2:22, many are become antichrists. And the faithful will not dare to deny persistently that it is possible for the man of sin to sit in the holy place. Of him the Savior prophesied when he said: "When ye see the abomination of desolation, which is spoken of by Daniel, standing in the holy place," Matt. 24:15. The apostle also says: "Let no man beguile you in any wise, for it will not be except the falling away come first and the man of sin be revealed, the son of perdition; he that opposeth and exalteth himself against all that is called God or is worshipped; so that he sitteth

in the temple of God setting himself forth as God," II Thess. 2:3-4. And it is apparent from the *Chronicles* how the papal dignity has sunk. . . .

No pope is the most exalted person of the catholic church but Christ himself; therefore no pope is the head of the catholic church besides Christ. The conclusion is valid reasoning from description to the thing described. Inasmuch as the head of the church is the capital or chief person of the church, yea, inasmuch as the head is a name of dignity and of office—dignity in view of predestination, and office in view of the administration of the whole church—it follows that no one may reasonably assert of himself or of another without revelation that he is the head of a particular holy church, although if he live well he ought to hope that he is a member of the holy catholic church, the bride of Christ. Therefore, we should not contend in regard to the reality of the incumbency whether any one, whoever he may be, living with us is the head of a particular holy church but, on the ground of his works, we ought assume that, if he is a superior, ruling over a particular holy church, then he is the superior in that particular church, and this ought to be assumed of the Roman pontiff, unless his works gainsay it, for the Savior said: "Beware of false prophets which come unto you in sheep's clothing but inwardly they are ravening wolves. By their fruits ye shall know them," Matt. 7:15. Also John 10:38: "Believe the works." . . .

Obedience, like humility, is of three kinds: namely, of the greater to the less—which is the highest form of obedience;—of an equal to an equal—which is the intermediate form;—and of the less to the greater—which is the lowest form. To the last the first definition of obedience applies—namely, that obedience is the subjection of one's own will to the will of a superior in things lawful and right. And it may be defined thus: obedience is an act of the will of a rational creature by virtue of which he voluntarily and intelligently submits himself to his superior: and such obedience is related to what is good, just as disobedience is related to what is evil. In both cases, however, it pertains to the rational creature and his subjection. And secondly, it refers fundamentally to activity, suffering, silence or any other activity of this sort to which the command is directed.

Hence, as all sin is disobedience and as disobedience is related to sin, and as every good man obeys God, so every sinner is disobedient. But obedience may be in the understanding and the will—in the understanding, which discerns that obedience ought to be rendered in given cases; and in the will, which yields consent to him who commands. But its results are shown in certain powers within and in an external effect. . . .

Hence, whenever obedience is rendered to man rather than God, as Adam obeyed Eve, then it is always evil obedience, so that every one obeying evilly is

disobedient to God; and so it is that the same man may be obedient and disobedient, with respect to the different persons commanding or to different commands. And it does not follow that, because a beloved man is disobedient, therefore he is not obedient, but it does follow that the man is not obedient with respect to whom he is disobedient or with respect to whose commands he is disobedient. And it is clear that to obey in one's brotherhood is to fulfil the will of the one giving commands, and this is well, as when a man or a created spirit living in grace fulfils the lawful will of the one giving commands. But to obey is bad when either living in sin one fulfils the will of a superior as to a given command, as when one who lives in luxury, fasts from respect to the command; or, secondly, when one fulfils a bad command against God. In view of these things it is clear that it is impossible for a rational creature to be virtuous morally unless he is obedient to his God. . . .

Clerical inferiors, and much more laics, may sit in judgment on the works of their superiors. From this it follows that the judgment by discreet and hidden arbitrament in the court of conscience is one thing, and the judgment in virtue of the empowered jurisdiction in the court of the church is another. By the first way the inferior ought chiefly to examine and judge himself, as it is written: "If we would judge ourselves, we would not be judged," I Cor. 11:31. And again, in the same way, he ought to judge all things pertaining to his salvation as it is written: "He that is spiritual judgeth all things," I Cor. 2:15. The laic also ought to examine and judge the works of his superior, as the apostle judged the works of Peter, when he corrected him and said: "When I saw that they walked not uprightly according to the truth of the Gospel, I said unto Cephas before them all, If thou, who art a Jew, livest as do the Gentiles and not as do the Jews, how compellest thou the Gentiles to walk as do the Jews?" Gal. 2:14. Secondly, the laic ought to examine and judge his superior for the purpose of fleeing, for Christ said: "Beware of false prophets which come unto you in sheep's clothing, but inwardly they are ravening wolves," Matt. 7:15. Thirdly, he ought to examine and judge that the superior may attend to spiritual offices and bodily nourishment or other good works to be done. For not otherwise should clergymen ever be chosen by laics as their curates and confessors and the dispensers of their alms.

Therefore, it is lawful for the rich of this world with diligent scrutiny to examine by what and what kind of superiors they shall administer their alms and in what way they shall administer them, guarding against rapacious wolves, because according to the apostle, in Acts 20:29, and according to Chrysostom, in *Imperfecto*, Homily 20, it is clear that in this way they seek more the money of those subject to them than their salvation, and this is at variance with the apostle, who says: "I seek not yours, but you," II Cor. 12:14. And looking

ahead with prophetic vision and seeing such false apostles, he affirmed, "I know that after my departing rapacious wolves shall enter in among you, not sparing the flock," Acts 20:29. And because this wolfishness is clearly discerned in the robbing of temporal things and in the infliction of punishments for the very purpose of plundering temporal goods more abundantly, he declares that he had himself pursued the opposite course. No man's gold and silver, he says, or vestments have I coveted, as ye yourselves know, because for those things that were needful for me and for those that were with me these hands have ministered.

Therefore, subjects living piously in Christ ought to pay heed to the life of the apostles and see to it whether their superiors live conformably to the apostles. For, if in their spiritual ministry they are out of accord with the apostles, if they are busy in exacting money, spurn evangelical poverty and incline to the world, nay, if they evidently sow offences, then they know by their works that they have departed from the religion of Jesus Christ the Lord. Therefore, O ye who love Christ's law from the heart, first note their works and see if they [the superiors] incline to the world, second give heed to their commands, whether they savor of avarice or the gain of this world, and third consult holy Scripture whether they command in accordance with Christ's counsel. And in the light of this counsel believe them; or disbelieve them, if they command contrary to this counsel. But let not curates say to laics, "What concern is it of yours to take note of our life or works," for did not our Savior say: "Do not according to their works"? Matt. 23. And afterwards he exposed the works of the prelates to the multitude that they might know them and to their advantage avoid them. Yea, much more to the prelates, who say, "What concern is it of yours to take note of our life and works?" it is pertinent for laics to reply: "What concern is it of yours that ye should receive our alms?" for the apostle says: "We command you in the name of Jesus Christ that ye withdraw yourselves from every brother that walketh disorderly and not after the tradition which they received of us, for ye yourselves know how ye ought to imitate us, for we behaved not ourselves disorderly among you, neither did we eat bread for naught at any man's hands, but in labor and travail, for even when we were with you, this we commanded you, If any man will not work, neither let him eat." II Thess. 3:6, 10.

It is clear how inferiors ought to examine and judge intelligently and reasonably in respect to the commands and works of superiors, for otherwise they would be in peril of eternal death, if they did not judge wisely about these things, how far they ought to believe their superiors, how far follow them, and in what things they ought intelligently to obey them according to the Lord's law.

MARTIN LUTHER

THE INTELLECTUAL PHASE of the Protestant Reformation was primarily a reaction against the embroideries of Christian doctrine by the medieval scholastics. Fundamentally, however, the Reformation was not an intellectual movement, but rather an appeal to a simpler version of Christian faith which ultimately sanctioned a newly capitalistic, nationalistic, and individualistic world. In many respects, the message of Martin Luther (1483-1546) was similar to humanism's plea for an essential Christianity emphasizing the morality of gospel love, and to the individualistic mysticism which had developed within the Christian Church as a higher form of worship than the external rites and ceremonies. In addition, Luther's "gospel" played upon sentiments that were already current in his day. All of these tendencies operating to decrease the power of ecclesiastical organization became vigorous in an age marked by the recent invention of printing and the consequent rise of popular culture; an age marked also by the transition from the "natural economy" based on barter to the "money economy" based on capital and credit; by the rise of a town class devoted either to worldly ostentation or to industry and trade; by the coming to power of national states which regarded Rome as an alien power; and by the development of an attitude which regarded the individual rather than the group as the ultimate authority. What brought the elements of this solution to precipitation was the peculiar force inherent in Luther's doctrine that a way of salvation, outside the Roman Church, lay open to mankind.

The son of a hard-working and thrifty miner, Luther entered the University of Erfurt in 1501. There he distinguished himself, although remaining singularly untouched by the humanistic currents running through that ancient seat of learning. Luther originally intended to study jurisprudence, but following upon a frightening vision, he forsook that career in 1505 to enter the Augustinian brotherhood, and he was ordained a priest in 1507. In 1510-11 he went to Rome as an emissary of his Order and there the splendor as well as the corruption of the Italian capital of Christendom proved a depressing experience to this descendant of German peasants. For the greater part of his life Luther was a professor at the University of Wittenberg, first (for a short time) lecturing on Aristotle, then on the Bible.

In 1517 an unscrupulous Dominican, John Tetzel, traveled through Germany selling papal indulgences, and advertising that the purchase of an indulgence would release from Purgatory the soul of a departed relative. Angered that the instruments of salvation should be sold, and that people already poverty-stricken should be prevailed upon by such promises, Luther attacked indulgences in his famous Ninety-five Theses, which he nailed to the door of the Castle Church in Wittenberg.

The posting of the Ninety-five Theses was the beginning of Luther's break with the Church, which did not end until he had broken his monastic vows, taken a wife, and denounced the pope as Antichrist. Although originally he had envisaged

no schism, he was, before he was through, excommunicated by Pope Leo X and banned by the Holy Roman Emperor, Charles V.

A genuine reformation as it was, there were nevertheless many elements of traditional Christianity in Luther's thought. He was convinced that man was corrupt and born in original sin, and it was only against the background of his belief in the righteous wrath of God that his emphasis upon the Divine graciousness which released man from himself took on significance. What was distinctive in his thought was his insistence that it could only be through Divine love that so corrupt a creature as man could be saved. The ethical life could only be, for Luther, a disinterested and freely given offering to God, untrammelled by the fear of punishment or the hope of reward in the world to come. In the light of this divorce of morals from theology the primary function of a church was to spread the Gospel message of saving love and thus to liberate men through faith.

The Lutheran movement was the signal for widespread disorder and revolution within Germany. The Rebellion of the Knights which took place in 1522-23 was the attempt of resurgent members of this economically decadent class to save its position in the face of the growth of a town class and the aggrandizement of the princes. The knights linked their abortive struggle for a national, centralized Germany (under their control) to the Lutheran movement, and identified the cause of the "gospel" with that of German liberty.

Again Luther's insistence upon the equality of secular with clerical authority, and his pleas on behalf of the common Christianity of common men was invoked during the Peasants' War of 1524-25. The leaders of this rebellion of the lower classes of town and country felt that they were acting in accordance with the Lutheran doctrine that "a Christian is lord of all things, and is subject to no one," and they looked to Luther as their champion. Luther, however, had depended for his security on his protector, Frederick, Elector of Saxony. Besides, he stood in fear of mob violence, and his response to the revolt was the writing in 1525 of an *Exhortation to Peace* in which he made both the aristocrats and the lower classes responsible for the upheaval. Luther was, to be sure, cognizant of the injustices wrought by the princes, but he was convinced that no tyranny was an excuse for rebellion, and, as the rebellion grew in violence, he responded to a plea for his support from the revolutionary leaders with the following words: "We never opposed princes, except by the word, that is, we judged their conduct as it respects the gospel by the word of God. But we hold them, nevertheless, in all due honour and reverence. May those wretched peasants be struck down to the ground! The accursed boors are mad, but woe be to their leaders!" He wrote a tract *Against the Thievish, Murderous Hordes of Peasants*, and still later he said: "It is better that all the peasants be killed than that the princes and magistrates perish, because the *rustics* took the *sword* without divine authority. . . . One cannot argue reasonably with a rebel, but one must answer him with the fist so that blood flows from his nose."

Luther hoped to wield his influence primarily through the written and spoken word. His voluminous writings stem from his central interest in the practical affairs of the religious life. In his effort at a popularly available religion he translated the Bible into German. In his *Address to the Christian Nobility of the German Nation* (1520) he argues in favor of the independence of civil power, and in his notable

On Christian Liberty (1520) he sets down the essentials of his reformation. The selections that follow are from the translations from the German by C. A. Buchheim and R. S. Grignon, respectively.



ADDRESS TO THE CHRISTIAN NOBILITY OF THE GERMAN NATION

INTRODUCTION

THE GRACE AND MIGHT OF GOD be with you, Most Serene Majesty! most gracious, well beloved gentlemen!

It is not out of mere arrogance and perversity that I, a single poor man, have taken upon me to address your lordships. The distress and misery that oppress all the Christian estates, more especially in Germany, have led not only myself, but every one else, to cry aloud and to ask for help, and have now forced me too, to cry out and to ask, if God would give His Spirit to any one, to reach a hand to His wretched people. Councils have often put forward some remedy, but through the cunning of certain men it has been adroitly frustrated, and the evils have become worse; whose malice and wickedness I will now, by the help of God, expose, so that, being known, they may henceforth cease to be so obstructive and injurious. God has given us a young and noble sovereign, and by this has roused hope in many hearts: now it is right that we too should do what we can, and make good use of time and grace.

The first thing that we must do is to consider the matter with great earnestness, and, whatever we attempt, not to trust in our own strength and wisdom alone, even if the power of all the world were ours; for God will not endure that a good work should be begun, trusting to our own strength and wisdom. He destroys it; it is all useless: as we read in the xxxiii Psalm. "There is no king saved by the multitude of an host: a mighty man is not delivered by much strength." And I fear it is for that reason, that those beloved Princes, the Emperors Frederick, the First and the Second, and many other German Emperors were, in former times, so piteously spurned and oppressed by the Popes, though they were feared by all the world. Perchance they trusted rather in their own strength than in God; therefore they could not but fall: and how would the sanguinary tyrant Julius II. have risen so high in our own days, but, that, I fear, France, the Germans and Venice trusted to themselves? The children of Benjamin slew forty-two thousand Israelites, for this reason, that these trusted to their own strength.

That it may not happen thus to us and to our noble Emperor Charles, we must remember that in this matter we wrestle not against flesh and blood, but against the rulers of the darkness of this world, who may fill the world with war and bloodshed, but cannot themselves be overcome thereby. We must renounce all confidence in our natural strength, and take the matter in hand with humble trust in God; we must seek God's help with earnest prayer, and have nothing before our eyes but the misery and wretchedness of Christendom, irrespective of what punishment the wicked may deserve. If we do not act thus, we may begin the game with great pomp; but when we are well in it, the spirits of evil will make such confusion that the whole world will be immersed in blood, and yet nothing be done. Therefore let us act in the fear of God, and prudently. The greater the might of the foe, the greater is the misfortune, if we do not act in the fear of God, and with humility. As Popes and Romanists have hitherto, with the Devil's help, thrown Kings into confusion, so will they still do, if we attempt things with our own strength and skill, without God's help.

THE THREE WALLS OF THE ROMANISTS

The romanists have, with great adroitness, drawn three walls round themselves, with which they have hitherto protected themselves, so that no one could reform them, whereby all Christendom has fallen terribly.

Firstly, if pressed by the temporal power, they have affirmed and maintained that the temporal power has no jurisdiction over them, but on the contrary that the spiritual power is above the temporal.

Secondly, if it were proposed to admonish them with the Scriptures, they objected that no one may interpret the Scriptures but the Pope.

Thirdly, if they are threatened with a Council, they pretend that no one may call a Council but the Pope.

Thus they have secretly stolen our three rods, so that they may be unpunished, and entrenched themselves behind these three walls, to act with all wickedness and malice, as we now see. And whenever they have been compelled to call a Council, they have made it of no avail, by binding the Princes beforehand with an oath to leave them as they were. Besides this they have given the Pope full power over the arrangement of the Council, so that it is all one, whether we have many Councils, or no Councils, for in any case they deceive us with pretences and false tricks. So grievously do they tremble for their skin before a true, free Council; and thus they have overawed Kings and Princes, that these believe they would be offending God, if they were not to obey them in all such knavish, deceitful artifices.

Now may God help us, and give us one of those trumpets, that overthrew

the walls of Jericho, so that we may blow down these walls of straw and paper, and that we may set free our Christian rods, for the chastisement of sin, and expose the craft and deceit of the devil, so that we may amend ourselves by punishment and again obtain God's favour.

THE FIRST WALL

Let us, in the first place, attack the first wall.

It has been devised, that the Pope, bishops, priests and monks are called the Spiritual Estate; princes, lords, artificers and peasants, are the Temporal Estate; which is a very fine, hypocritical device. But let no one be made afraid by it; and that for this reason: That all Christians are truly of the Spiritual Estate, and there is no difference among them, save of office alone. As St. Paul says, we are all one body, though each member does its own work, to serve the others. This is because we have one baptism, one gospel, one faith, and are all Christians alike; for baptism, gospel and faith, these alone make Spiritual and Christian people.

As for the unction by a pope or a bishop, tonsure, ordination, consecration, clothes differing from those of laymen—all this may make a hypocrite or an anointed puppet, but never a Christian, or a spiritual man. Thus we are all consecrated as priests by baptism, as St. Peter says: "Ye are a royal priesthood, a holy nation"; and in the book of Revelations: "and hast made us unto our God, kings and priests." For, if we have not a higher consecration in us than Pope or bishop can give, no priest could ever be made by the consecration of Pope or bishop; nor could he say the mass, or preach, or absolve. Therefore the bishop's consecration is just as if in the name of the whole congregation he took one person out of the community, each member of which has equal power, and commanded him to exercise this power for the rest; in the same way as if ten brothers, co-heirs as king's sons, were to choose one from among them to rule over their inheritance; they would, all of them, still remain kings and have equal power, although one is ordered to govern.

And to put the matter even more plainly; if a little company of pious Christian laymen were taken prisoners and carried away to a desert, and had not among them a priest consecrated by a bishop, and were there to agree to elect one of them, married or unmarried, and were to order him to baptize, to celebrate the mass, to absolve and to preach; this man would as truly be a priest, as if all the bishops and all the Popes had consecrated him. That is why in cases of necessity every man can baptize and absolve, which would not be possible if we were not all priests. This great grace and virtue of baptism and of the Christian Estate, they have almost destroyed and made us forget by their ecclesiastical law. In this way the Christians used to choose their bishops and

priests out of the community; these being afterwards confirmed by other bishops, without the pomp that we have now. So was it that St. Augustine, Ambrose, Cyprian, were bishops.

Since then the temporal power is baptized as we are, and has the same faith and gospel, we must allow it to be priest and bishop, and account its office an office that is proper and useful to the Christian community. For whatever issues from baptism may boast that it has been consecrated priest, bishop, and Pope, although it does not beseem every one to exercise these offices. For, since we are all priests alike no man may put himself forward, or take upon himself, without our consent and election, to do that which we have all alike power to do. For, if a thing is common to all, no man may take it to himself without the wish and command of the community. And if it should happen that a man were appointed to one of these offices and deposed for abuses, he would be just what he was before. Therefore a priest should be nothing in Christendom but a functionary; as long as he holds his office, he has precedence of others; if he is deprived of it, he is a peasant and a citizen like the rest. Therefore a priest is verily no longer a priest after deposition. But now they have invented *characteres indelebiles*,¹ and pretend that a priest after deprivation still differs from a simple layman. They even imagine that a priest can never be anything but a priest, that is, that he can never become a layman. All this is nothing but mere talk and ordinance of human invention.

It follows then, that between layman and priests, princes and bishops, or as they call it, between spiritual and temporal persons, the only real difference is one of office and function, and not of estate: for they are all of the same Spiritual Estate, true priests, bishops and Popes, though their functions are not the same: just as among priests and monks every man has not the same functions. And this St. Paul says and St. Peter; "we being many are one body in Christ, and every one members one of another." Christ's body is not double or two-fold, one temporal, the other spiritual. He is one head, and he has one body.

We see then that just as those that we call spiritual, or priests, bishops or popes, do not differ from other Christians in any other or higher degree, but in that they are to be concerned with the word of God, and the sacraments—that being their work and office—in the same way the temporal authorities hold the sword and the rod in their hands to punish the wicked and to protect the good. A cobbler, a smith, a peasant, every man has the office and function of his calling, and yet all alike are consecrated priests and bishops, and every man in his office must be useful and beneficial to the rest, that so many kinds of work may all be united into one community: just as the members of the body all serve one another.

¹ [That is, distinctive attributes not subject to change.]

Now see, what a Christian doctrine is this: that the temporal authority is not above the clergy, and may not punish it. This is, as if one were to say, the hand may not help, though the eye is in grievous suffering. Is it not unnatural, not to say unchristian, that one member may not help another, or guard it against harm? Nay, the nobler the member, the more the rest are bound to help it. Therefore I say: forasmuch as the temporal power has been ordained by God for the punishment of the bad, and the protection of the good, therefore we must let it do its duty throughout the whole Christian body, without respect of persons: whether it strike popes, bishops, priests, monks, or nuns. If it were sufficient reason for fettering the temporal power that it is inferior among the offices of Christianity to the offices of priest or confessor, or to the spiritual estate—if this were so, then we ought to restrain tailors, cobblers, masons, carpenters, cooks, servants, peasants, and all secular workmen, from providing the Pope, or bishops, priests and monks, with shoes, clothes, houses or victuals, or from paying them tithes. But if these laymen are allowed to do their work without restraint, what do the Romanist scribes mean by their laws? They mean that they withdraw themselves from the operation of temporal Christian power, simply in order that they may be free to do evil, and thus fulfill what St. Peter said: "There shall be false teachers among you, . . . and through covetousness shall they with feigned words make merchandise of you."

Therefore the temporal Christian power must exercise its office without let or hindrance, without considering whom it may strike, whether pope, or bishop, or priest: whoever is guilty let him suffer for it. Whatever the ecclesiastical law says in opposition to this, is merely the invention of Romanist arrogance. For this is what St. Paul says to all Christians: "Let every soul" (I presume including the Popes) "be subject unto the higher powers: for he beareth not the sword in vain: for he is the minister of God, a revenger to execute wrath upon him that doeth evil." Also St. Peter: "Submit yourselves to every ordinance of man for the Lord's sake . . . for so is the will of God." He has also said, that men would come, who should despise government; as has come to pass through ecclesiastical law.

Now I imagine, the first paper wall is overthrown, inasmuch as the temporal power has become a member of the Christian body, and although its work relates to the body, yet does it belong to the spiritual estate. Therefore it must do its duty without let or hindrance upon all members of the whole body, to punish or urge, as guilt may deserve, or need may require, without respect of Pope, bishops or priests; let them threaten or excommunicate as they will. That is why a guilty priest is deprived of his priesthood before being given over

to the secular arm; whereas this would not be right, if the secular sword had not authority over him already by divine ordinance.

It is, indeed, past bearing that the spiritual law should esteem so highly the liberty, life and property of the clergy, as if laymen were not as good spiritual Christians, or not equally members of the Church. Why should your body, life, goods, and honour be free and not mine, seeing that we are equal as Christians, and have received alike baptism, faith, spirit and all things? If a priest is killed, the country is laid under an interdict: why not also if a peasant is killed? Whence comes all this difference among equal Christians? Simply from human laws and inventions.

It can have been no good spirit that devised these exceptions, and made sin to go unpunished. For, if as Christ and the Apostles bid us, it is our duty to oppose the evil one, and all his works and words, and to drive him away as well as may be; how then should we look on in silence, when the Pope and his followers are guilty of devilish works and words? Are we for the sake of men to allow the commandments and the truth of God to be defeated, which at our baptism we vowed to support with body and soul? Truly we should have to answer for all souls that are thus led away into error.

Therefore it must have been the archdevil himself who said, as we read in the ecclesiastical law: If the Pope were so perniciously wicked, as to be dragging souls in crowds to the devil, yet he could not be deposed. This is the accursed and devilish foundation on which they build a Rome, and think that the whole world is to be allowed to go to the devil, rather than they should be opposed in their knavery. If a man were to escape punishment simply because he is above the rest, then no Christian might punish another, since Christ has commanded each of us to esteem himself the lowest and the humblest.

Where there is sin, there remains no avoiding the punishment, as St. Gregory says: We are all equal, but guilt makes one subject to another. Now see how they deal with Christendom, depriving it of its freedom without any warrant from the Scriptures, out of their own wickedness, whereas God and the Apostles made them subject to the secular sword; so that we must fear that it is the work of Antichrist, or a sign of his near approach.

THE SECOND WALL

The second wall is even more tottering and weak: that they alone pretend to be considered masters of the Scriptures; although they learn nothing of them all their life, they assume authority, and juggle before us with impudent words, saying that the Pope cannot err in matters of faith, whether he be evil or good; albeit they cannot prove it by a single letter. That is why the canon law contains so many heretical and unchristian, nay, unnatural laws; but of

these we need not speak now. For whereas they imagine the Holy Ghost never leaves them, however unlearned and wicked they may be, they grow bold enough to decree whatever they like. But were this true, where were the need and use of the Holy Scriptures? Let us burn them, and content ourselves with the unlearned gentlemen at Rome, in whom the Holy Ghost dwells, who however can dwell in pious souls only. If I had not read it, I could never have believed that the Devil should have put forth such follies at Rome and find a following.

But not to fight them with our own words, we will quote Scriptures. St. Paul says: "If anything be revealed to another that sitteth by, let the first hold his peace." What would be the use of this commandment, if we were to believe him alone that teaches or has the highest seat? Christ Himself says: "And they shall be all taught of God." Thus it may come to pass that the Pope and his followers are wicked and not true Christians, and not being taught by God, have no true understanding, whereas a common man may have true understanding. Why should we then not follow him? Has not the Pope often erred? Who could help Christianity, in case the Pope errs, if we do not rather believe another, who has the Scriptures for him?

Therefore it is a wickedly devised fable, and they cannot quote a single letter to confirm it, that it is for the Pope alone to interpret the Scriptures or to confirm the interpretation of them: they have assumed the authority of their own selves. And though they say that this authority was given to St. Peter when the keys were given to him, it is plain enough that the keys were not given to St. Peter alone, but to the whole community. Besides, the keys were not ordained for doctrine or authority, but for sin, to bind or loose; and what they claim besides this is mere invention. But what Christ said to St. Peter: "I have prayed for thee, that thy faith fail not," cannot relate to the Pope, inasmuch as there have been many Popes without faith, as they are themselves forced to acknowledge. Nor did Christ pray for Peter alone, but for all the Apostles and all Christians, as He says, "Neither pray I for these alone, but for them also which shall believe on me through their word." Is not this plain enough?

Only consider the matter. They must needs acknowledge that there are pious Christians among us, that have the true faith, spirit, understanding, word, and mind of Christ; why then should we reject their word and understanding, and follow a Pope who has neither understanding nor Spirit? Surely this were to deny our whole faith and the Christian Church. Moreover, if the article of our faith is right: *I believe in the Holy Christian Church*, the Pope cannot alone be right; else we must say: *I believe in the Pope of Rome*, and reduce the Christian Church to one man, which is a devilish and damnable heresy. Besides that, we are all priests, as I have said, and have all one faith, one gospel, one sacrament; how then should we not have the power of discerning and

judging what is right or wrong in matters of faith? What becomes of St. Paul's words: "But he that is spiritual judgeth all things, yet he himself is judged of no man"; and also, "we having the same spirit of faith." Why then should we not perceive as well as an unbelieving Pope, what agrees, or disagrees with our faith?

By these and many other texts we should gain courage and freedom, and should not let the spirit of liberty (as St. Paul has it) be frightened away by the inventions of the Popes; we should boldly judge what they do and what they leave undone, by our own understanding, and not their own. Did not Abraham in old days have to obey his Sarah, who was in stricter bondage to him than we are to any one on earth? Thus too Balaam's ass was wiser than the prophet. If God spoke by an ass against a prophet, why should He not speak by a pious man against the Pope? Besides, St. Paul withstood St. Peter as being in error. Therefore it behoves every Christian to aid the faith by understanding and defending it, and by condemning all errors.

THE THIRD WALL

The third wall falls of itself, as soon as the first two have fallen; for if the Pope acts contrary to the Scriptures, we are bound to stand by the Scriptures, to punish and to constrain him, according to Christ's commandment; "Moreover if thy brother shall trespass against thee, go and tell him his fault between thee and him alone: if he shall hear thee, thou hast gained thy brother. But if he will not hear thee, then take with thee one or two more, that in the mouth of two or three witnesses every word may be established. And if he shall neglect to hear them, tell it unto the church: but if he neglect to hear the church, let him be unto thee as an heathen man and a publican." Here each member is commanded to take care for the other; much more then should we do this, if it is a ruling member of the community that does evil, which by its evil doing, causes great harm and offence to the others. If then I am to accuse him before the church, I must collect the church together. Moreover they can show nothing in the Scriptures giving the Pope sole power to call and confirm councils; they have nothing but their own laws; but these hold good only so long as they are not injurious to Christianity and the laws of God. Therefore, if the Pope deserves punishment, these laws cease to bind us, since Christendom would suffer, if he were not punished by a council. Thus we read, that the council of the Apostles was not called by St. Peter, but by all the Apostles and the elders. But if the right to call it had lain with St. Peter alone, it would not have been a Christian council, but a heretical *conciliabulum*.² Moreover the

² [The Latin word itself implies an illegitimate or heretical council.]

most celebrated Nicene Council was neither called *nor* confirmed by the Bishop of Rome, but by the Emperor Constantine; and after him many other Emperors have done the same, and yet the councils called by them were accounted most Christian. But if the Pope alone had the power, they must all have been heretical. Moreover if I consider the councils that the Pope has called, I do not find that they produced any notable results.

Therefore when need requires and the Pope is a cause of offence to Christendom, in these cases whoever can best do so, as a faithful member of the whole body, must do what he can to procure a true free council. This no one can do so well as the temporal authorities, especially since they are fellow-Christians, fellow-priests, sharing one spirit, and one power in all things; and since they should exercise the office that they have received from God without hindrance, whenever it is necessary and useful that it should be exercised. Would it not be most unnatural, if a fire were to break out in a city, and every one were to keep still and let it burn on and on, whatever might be burnt, simply because they had not the mayor's authority, or because the fire perhaps broke out at the mayor's house? Is not every citizen bound in this case to rouse and call in the rest? How much more should this be done in the spiritual city of Christ, if a fire of offence breaks out, either at the Pope's government or wherever it may! The like happens if an enemy attacks a town. The first to rouse up the rest earns glory and thanks. Why then should not he earn glory that announces the coming of our enemies from hell, and rouses and summons all Christians?

But as for their boasts of their authority, that no one must oppose it, this is idle talk. No one in Christendom has any authority to do harm, or to forbid others to prevent harm being done. There is no authority in the Church but for reformation. Therefore if the Pope wished to use his power to prevent the calling of a free council, so as to prevent the reformation of the Church, we must not respect him or his power; and if he should begin to excommunicate and fulminate, we must despise this as the ravings of a madman, and trusting in God, excommunicate and repel him, as best we may. For this his usurped power is nothing; he does not possess it, and he is at once overthrown by a text from the Scriptures. For St. Paul says to the Corinthians, "That God has given us authority for edification and not for destruction." Who will set this text at naught? It is the power of the Devil and of Antichrist that prevents what would serve for the reformation of Christendom. Therefore we must not follow it, but oppose it with our body, our goods and all that we have. And even if a miracle were to happen in favour of the Pope, against the temporal power, or if some were to be stricken by a plague, as they sometimes boast has happened: all this is to be held as having been done by the Devil, for our want of faith in God, as was foretold by Christ: "There shall arise false Christs, and

false prophets, and shall shew great signs and wonders; insomuch that, if it were possible, they shall deceive the very elect"; and St. Paul tells the Thessalonians that the coming of Antichrist shall be "after the working of Satan with all power and signs and lying wonders."

Therefore let us hold fast to this: that Christian power can do nothing against Christ, as St. Paul says: "for we can do nothing against Christ, but for Christ." But, if it does anything against Christ, it is the power of Antichrist and the Devil, even if it rained and hailed wonders and plagues. Wonders and plagues prove nothing, especially in these latter evil days, of which false wonders are foretold in all the Scriptures. Therefore we must hold fast to the words of God with an assured faith; then the Devil will soon cease his wonders.

And now I hope we have laid the false, lying spectre with which the Romanists have long terrified and stupefied our consciences. And we have shown that, like all the rest of us, they are subject to the temporal sword; that they have no authority to interpret the Scriptures by force without skill; and that they have no power to prevent a council, or to pledge it in accordance with their pleasure, or to bind it beforehand, and deprive it of its freedom; and that if they do this, they are verily of the fellowship of Antichrist and the Devil, and have nothing of Christ but the name.

OF THE MATTERS TO BE CONSIDERED IN THE COUNCILS

Let us now consider the matters which should be treated in the councils, and with which popes, cardinals, bishops, and all learned men should occupy themselves day and night, if they loved Christ and His Church. But if they do not so, the people at large and the temporal powers must do so, without considering the thunders of their excommunications. For an unjust excommunication is better than ten just absolutions, and an unjust absolution is worse than ten just excommunications. Therefore let us rouse ourselves, fellow-Germans, and fear God more than man, that we be not answerable for all the poor souls that are so miserably lost through the wicked, devilish government of the Romanists, through which also the dominion of the Devil grows day by day; if indeed this hellish government can grow any worse, which for my part I can neither conceive nor believe.

1. It is a distressing and terrible thing to see that the head of Christendom, who boasts of being the Vicar of Christ and the successor of St. Peter, lives in a worldly pomp that no king or emperor can equal: so that in him that calls himself most holy and most spiritual, there is more worldliness than in the world itself. He wears a triple crown, whereas the mightiest kings only wear one crown. If this resembles the poverty of Christ and St. Peter, it is a new sort of resemblance. They prate of its being heretical to object to this; nay, they

will not even hear how unchristian and ungodly it is. But I think that if he should have to pray to God with ears, he would have to lay down his crowns; for God will not endure any arrogance. His office should be nothing else than to weep and pray constantly for Christendom, and to be an example of all humility.

However this may be, this pomp is a stumbling-block, and the Pope, for the very salvation of his soul, ought to put it off; for St. Paul says: "Abstain from all appearance of evil" (1 Thess. v, 21); and again: "Provide things honest in the sight of all men." (2 Cor. viii, 21.) A simple mitre would be enough for the Pope: wisdom and sanctity should raise him above the rest; the crown of pride he should leave to Antichrist, as his predecessors did for some hundreds of years. They say: He is the ruler of the world. This is false; for Christ, whose vice-gerent and vicar he claims to be, said to Pilate: "My kingdom is not of this world." (John xviii, 36.) But no vice-gerent can have a wider dominion than his Lord. Nor is he a vice-gerent of Christ in His glory, but of Christ crucified, as St. Paul says: "For I determined not to know anything among you, save Jesus Christ, and him crucified" (Phil. ii, 5, 7). Again (1 Cor. i.): "We preach Christ crucified." Now they make the Pope a vice-gerent of Christ exalted in heaven, and some have let the Devil rule them so thoroughly, that they have maintained that the Pope is above the angels in heaven, and has power over them; which is precisely the true work of the true Antichrist.

2. What is the use in Christendom of the people called "Cardinals"? I will tell you. In Italy and Germany there are many rich convents, endowments, fiefs and benefices, and as the best way of getting these into the hands of Rome, they created cardinals, and gave them the sees, convents, and prelaties, and thus destroyed the service of God. That is why Italy is almost a desert now: the convents are destroyed, the sees consumed, the revenues of the prelaties and of all the churches drawn to Rome; towns are decayed; the country and the people ruined, while there is no more any worship of God or preaching; why? Because the cardinals must have all the wealth. No Turk could have thus desolated Italy and overthrown the worship of God.

Now that Italy is sucked dry, they come to Germany and begin very quietly; but we shall see, that Germany is soon to be brought into the same state as Italy. We have a few cardinals already. What the Romanists mean thereby the drunken Germans are not to see until they have lost everything—bishoprics, convents, benefices, fiefs, even to their last farthing. Antichrist must take the riches of the earth, as it is written. They begin by taking off the cream of the bishoprics, convents, and fiefs; and as they do not dare destroy everything as they have done in Italy, they employ such holy cunning to join together ten or twenty prelaties, and take such a portion of each, annually, that the total

amounts to a considerable sum. The priory of Würzburg gives one thousand guilders, those of Bamberg, Mayence, Treves and others also contribute. In this way they collect one thousand or ten thousand guilders, in order that a cardinal may live at Rome in a state like that of a wealthy monarch.

After we have gained this, we will create thirty or forty cardinals on one day, and give one St. Michael's Mount near Bamberg, and likewise the see of Würzburg, to which belongs some rich benefices, until the churches and the cities are desolated; and then we shall say: We are the vicars of Christ, the shepherds of Christ's flocks; those mad, drunken Germans must submit to it. I advise, however, that there be made fewer cardinals, or that the Pope should have to support them out of his own purse. It would be amply sufficient, if there were twelve, and if each of them had an annual income of one thousand guilders. What has brought us Germans to such a pass, that we have to suffer this robbery and this destruction of our property by the Pope? If the kingdom of France has resisted it, why do we Germans suffer ourselves to be fooled and deceived? It would be more endurable, if they did nothing but rob us of our property; but they destroy the church and deprive Christ's flock of their good shepherds, and overthrow the service and word of God. Even if there were no cardinals at all, the Church would not perish; for they do nothing for the good of Christendom; all they do is to bargain and traffic in prelacies and bishoprics; which any robber could do as well.

3. If we took away ninety-nine parts of the Pope's court and only left one hundredth, it would still be large enough to answer questions on matters of belief. Now there is such a swarm of vermin at Rome, all called Papal, that Babylon itself never saw the like. There are more than three thousand Papal secretaries alone; but who shall count the other office-bearers, since there are so many offices that we can scarcely count them, and all waiting for German benefices, as wolves wait for a flock of sheep? I think Germany now pays more to the Pope, than it formerly paid the Emperors; nay, some think more than three hundred thousand guilders are sent from Germany to Rome every year, for nothing whatever; and in return we are scoffed at and put to shame. Do we still wonder why princes, noblemen, cities, foundations, convents and people are poor? We should rather wonder that we have anything left to eat.

Now that we have got well into our game, let us pause awhile and show that the Germans are not such fools, as not to perceive or understand this Romish trickery. I do not here complain, that God's commandments and Christian justice are despised at Rome; for the state of things in Christendom, especially at Rome, is too bad for us to complain of such high matters. Nor do I even complain that no account is taken of natural or secular justice and reason. The mischief lies still deeper. I complain that they do not observe their

own fabricated canon law, though this is in itself rather mere tyranny, avarice and worldly pomp, than a law. This we shall now show.

Long ago the Emperors and Princes of Germany allowed the Pope to claim the *annates* from all German benefices; that is, half of the first year's income from every benefice. The object at this confession was that the Pope should collect a fund with all this money, to fight against the Turks and infidels, and to protect Christendom, so that the nobility should not have to bear the burden of the struggle alone, and that the priests should also contribute. The Popes have made such use of this good simple piety of the Germans, that they have taken this money for more than one hundred years, and have now made of it a regular tax and duty; and not only have they accumulated nothing, but they have founded out of it many posts and offices at Rome, which are paid by it yearly, as out of a settled rent.

Whenever there is any pretence of fighting the Turks, they send out some commission for collecting money, and often send out indulgences under the same pretext of fighting the Turks. They think we Germans will always remain such great and inveterate fools, that we will go on giving money to satisfy their unspeakable greed, though we see plainly that neither *annates* nor absolution money, nor any other—not one farthing—goes against the Turks, but all goes into the bottomless sack. They lie and deceive, form and make covenants with us of which they do not mean to keep one jot. And all this is done in the holy name of Christ and St. Peter.

This being so, the German nation, the bishops and princes, should remember that they are Christians, and should defend the people, who are committed to their government and protection in temporal and spiritual affairs, from these ravenous wolves in sheep's clothing, that profess to be shepherds and rulers; and since the *annates* are so shamefully abused, and the covenants concerning them not carried out, they should not suffer their lands and people to be so piteously and unrighteously flayed and ruined; but by an imperial or a national law they should either retain the *annates* in the country, or abolish them altogether. For since they do not keep to the covenants, they have no rights to the *annates*; therefore bishops and princes are bound to punish this thievery and robbery, or prevent it, as justice demands. And herein should we assist and strengthen the Pope, who is perchance too weak to prevent this scandal by himself; or, if he wishes to protect or support it, restrain and oppose him as a wolf and tyrant; for he has no authority to do evil or to protect evildoers. Even if it were proposed to collect any such treasure for use against the Turks, we should be wise in future, and remember that the German nation is more fitted to take charge of it than the Pope, seeing that the German nation by itself is able to provide men enough, if the money is forthcoming. This matter of the *annates* is like many other Romish prettexts. .

TWENTY-SEVEN ARTICLES RESPECTING THE REFORMATION OF THE
CHRISTIAN ESTATE

25. The Universities also require a good, sound Reformation. I must say this, let it vex whom it may. The fact is that whatever the Papacy has ordered or instituted is only designed for the propagation of sin and error. What are the Universities, as at present ordered, but as the Book of Maccabees says: "Schools of 'Greek fashion' and 'heathenish manners.'" full of dissolute living, where very little is taught of the Holy Scriptures and of the Christian faith, and the blind heathen teacher, Aristotle, rules even further than Christ. Now, my advice would be that the books of Aristotle, the "Physics," the "Metaphysics," "Of the Soul," "Ethics," which have hitherto been considered the best, be altogether abolished, with all others that profess to treat of nature, though nothing can be learned from them, either of natural or of spiritual things. Besides, no one has been able to understand his meaning, and much time has been wasted, and many noble souls vexed, with much useless labour, study, and expense. I venture to say that any potter has more knowledge of natural things than is to be found in these books. My heart is grieved to see how many of the best Christians this accursed, proud, knavish heathen has fooled and led astray with his false words. God sent him as a plague for our sins.

Does not the wretched man in his best book, "Of the Soul," teach that the soul dies with the body; though many have tried to save him with vain words, as if we had not the Holy Scriptures to teach us fully of all things, of which Aristotle had not the slightest perception. Yet this dead heathen has conquered, and has hindered and almost suppressed the books of the living God; so that, when I see all this misery, I cannot but think that the evil spirit has introduced this study.

Then there is the "Ethics," which is accounted one of the best, though no book is more directly contrary to God's will and the Christian virtues. Oh, that such books could be kept out of the reach of all Christians! Let no one object that I say too much, or speak without knowledge. My friend, I know of what I speak. I know Aristotle as well as you or men like you. I have read him with more understanding than St. Thomas or Scotus; which I may say without arrogance, and can prove if need be. It matters not that so many great minds have exercised themselves in these matters for many hundred years. Such objections do not affect me as they might have done once; since it is plain as day that many more errors have existed for many hundred years in the world and the Universities.

I would, however, gladly consent that Aristotle's books of Logic, Rhetoric and Poetic should be retained; or they might be usefully studied in a condensed form, to practise young people in speaking and preaching; but the

notes and comments should be abolished, and just as Cicero's Rhetoric is read without note or comment, Aristotle's Logic should be read without such long commentaries. But now neither speaking nor preaching are taught out of them, and they are used only for disputation and confusion. Besides this there are languages, Latin, Greek and Hebrew, the Mathematics, History; but this I leave to men of higher understanding; if they seriously strive after reform, all these things will come of themselves. And truly it is an important matter! for it concerns the teaching and training of Christian youths and of our noble people, in whom Christianity still abides. Therefore I think that Pope and Emperor could have no better task than the reformation of the Universities, just as there is nothing more devilishly mischievous than an unreformed University.

Physicians I would leave to reform their own faculty; Lawyers and Theologians I take under my charge, and say firstly, that it would be right to abolish the canon law entirely, from beginning to end, more especially the decretals. We are taught quite sufficiently in the Bible how we ought to act; all this study only prevents the study of the Scriptures, and for the most part it is tainted with covetousness and pride. And even though there were some good in it, it should nevertheless be destroyed, for the Pope having the canon law in *scrinio pectoris*,³ all further study is useless and deceitful. At the present time the canon law is not to be found in the books, but in the whims of the Pope and his sycophants. You may have settled a matter in the best possible way according to the canon law, but the Pope has his *scrinium pectoris*, to which all law must bow in all the world. Now this *scrinium* is oftentimes directed by some knave, and the devil himself, whilst it boasts that it is directed by the Holy Ghost. This is the way they treat Christ's poor people, imposing many laws and keeping none; forcing others to keep them, or to free themselves by money.

Therefore since the Pope and his followers have cancelled the whole canon law, despising it and setting their own will above all the world, we should follow them and reject the books. Why should we study them to no purpose? We should never be able to know the Pope's caprice, which has now become the canon law. Let it fall then in God's name, after having risen in the devil's name. Let there be henceforth no *doctor decretorum*, but let them all be *doctores scrinii papalis*, that is, the Pope's sycophants. They say that there is no better temporal government than among the Turks, though they have no canon nor civil law, but only their Koran; we must at least own that there is no worse government than ours with its canon and civil law, for no estate lives according to the Scriptures, or even according to natural reason.

The civil law, too, good God! what a wilderness it is become! It is, indeed,

³ [The *scrinium* was the Papal Archive. This phrase means: *stored within himself*.]

much better, more skilful and more honest than the canon law, of which nothing is good but the name. Still there is far too much of it. Surely good governors, judging according to the Scriptures, would be law enough, as St. Paul says: "Is it so, that there is not a wise man among you? No, not one that shall be able to judge between his brethren?" (1 Cor. vi, 5.) I think also that the common law and usage of the country should be preferred to the law of the Empire, and that the law of the Empire should only be used in cases of necessity. And would to God that, as each land has its own peculiar character and nature, they could all be governed by their own simple laws, just as they were governed before the law of the Empire was devised, and as many are governed even now! Elaborate and far-fetched laws are only burdensome to the people, and a hindrance rather than a help to business. But I hope that others have thought of this, and considered it to more purpose than I could.

Our worthy Theologians have saved themselves much trouble and labour by leaving the Bible alone and only reading the Sentences. I should have thought that young Theologians might begin by studying the Sentences and that Doctors should study the Bible. Now they invert this: the Bible is the first thing they study; this ceases with the Bachelor's degree; the Sentences are the last, and these they keep for ever with the Doctors' degree; and this too under such sacred obligation that one that is not a priest may read the Bible, but a priest must read the Sentences; so that, as far as I can see, a married man might be a Doctor in the Bible, but not in the Sentences. How should we prosper so long as we act so perversely, and degrade the Bible, the holy word of God? Besides this, the Pope orders with many stringent words that his laws be read and used in schools and courts; while the law of the Gospel is but little considered. The result is that in schools and courts the Gospel lies dusty on the shelf, so that the Pope's mischievous laws may alone be in force.

Since, then, we hold the name and title of teachers of the Holy Scriptures, we should verily be forced to act according to our title, and to teach the Holy Scriptures and nothing else. Although, indeed, it is a proud, presumptuous title, for a man to proclaim himself teacher of the Scriptures, still it could be suffered, if the works confirmed the title. But as it is, under the rule of the Sentences, we find among Theologians more human and heathenish fallacies than true holy knowledge of the Scriptures. What then are we to do? I know not, except to pray humbly to God to give us Doctors of Theology. Doctors of Arts, of Medicine, of Law, of the Sentences, may be made by Popes, Emperors and the Universities; but of this we may be certain, a Doctor of the Holy Scriptures can be made by none but the Holy Ghost, as Christ says: "They shall all be taught of God." (John vi, 45.) Now the Holy Ghost does not consider red caps or brown, or any other pomp; nor whether we are young

or old, layman or priest, monk or secular, virgin or married; nay, he once spoke by an ass against the prophet that rode on it. Would to God we were worthy of having such Doctors given us, be they laymen or priests, married or virgin! but now they try to force the Holy Ghost to enter into Popes, Bishops or Doctors, though there is no sign to show that He is in them.

We must also lessen the number of theological books, and choose the best; for it is not the number of books that make the learned man; nor much reading, but good books often read, however few, make a man learned in the Scriptures and pious. Even the Father should only be read for a short time as an introduction to the Scriptures. As it is, we read nothing else, and never get from them into the Scriptures, as if one should be gazing at the signposts and never follow the road. These good Fathers wished to lead us into the Scriptures by their writings, whereas we lead ourselves out by them, though the Scriptures are our vineyard in which we should all work and exercise ourselves.

Above all, in schools of all kinds the chief and most common lesson should be the Scriptures, and for young boys the Gospel; and would to God each town had also a girl's school in which girls might be taught the Gospel for an hour daily, either in German or Latin! In truth, schools, monasteries and convents, were founded for this purpose, and with good Christian intentions; as we read concerning St. Agnes, and other saints; then were there holy virgins and martyrs; and in those times it was well with Christendom; but now it has been turned into nothing but praying and singing. Should not every Christian be expected by his ninth or tenth year to know all the holy Gospels, containing as they do his very name and life? A spinner or a seamstress teaches her daughter her trade, while she is young, but now even the most learned Prelates and Bishops do not know the Gospel.

Oh, how badly we treat all these poor young people that are entrusted to us for discipline and instruction! and a heavy reckoning shall we have to give for it that we keep them from the word of God; their fate is that described by Jeremiah: "Mine eyes do fail with tears, my bowels are troubled, my liver is poured upon the earth, for the destruction of the daughter of my people; because the children and the sucklings swoon in the streets of the city. They say to their mothers, Where is corn and wine? when they swooned as the wounded in the streets of the city, when their soul is poured out into their mothers' bosom." (Lamen. ii, 11, 12.) We do not perceive all this misery, how the young folk are being pitifully corrupted in the midst of Christendom, all for want of the Gospel, which we should read and study with them.

However, if the high schools studied the Scriptures diligently we should not send every one to them, as we do now, when nothing is considered but

numbers, and every man wishes to have a Doctor's title; we should only send the aptest pupils, well prepared in the lower schools. This should be seen to by princes or the magistrates of the towns, and they should take care none but apt pupils be sent. But where the Holy Scriptures are not the rule, I advise no one to send his child. Everything must perish where God's word is not studied unceasingly; and so we see what manner of men there are now in the high schools, and all this is the fault of no one but of the Pope, the Bishops and the Prelates, to whom the welfare of the young has been entrusted. For the High Schools should train men simply to be of good understanding in the Scriptures, fit to become bishops and priests, and to stand at our head against heretics and the Devil and all the world. But where do we find this? I greatly fear the High Schools are nothing but great gates of hell, unless they diligently study the Holy Scriptures and teach them to the young people. . . .

ON CHRISTIAN LIBERTY

CHRISTIAN FAITH has appeared to many an easy thing; nay, not a few even reckon it among the social virtues, as it were; and this they do, because they have not made proof of it experimentally, and have never tasted of what efficacy it is. For it is not possible for any man to write well about it, or to understand well what is rightly written, who has not at some time tasted of its spirit, under the pressure of tribulation. While he who has tasted of it, even to a very small extent, can never write, speak, think, or hear about it sufficiently. For it is a living fountain, springing up unto eternal life, as Christ calls it in the 4th chapter of St. John.

Now, though I cannot boast of my abundance, and though I know how poorly I am furnished, yet I hope that, after having been vexed by various temptations, I have attained some little drop of faith, and that I can speak of this matter, if not with more elegance, certainly with more solidity than those literal and too subtle disputants who have hitherto discoursed upon it, without understanding their own words. That I may open, then, an easier way for the ignorant—for these alone I am trying to serve—I first lay down these two propositions, concerning spiritual liberty and servitude.

A Christian man is the most free lord of all, and subject to none; a Christian man is the most dutiful servant of all, and subject to every one.

Although these statements appear contradictory, yet when they are found to agree together, they will be highly serviceable to my purpose. They are both the statements of Paul himself, who says: "Though I be free from all men, yet have I made myself servant unto all," and: "Owe no man anything,

but to love one another." Now love is by its own nature dutiful and obedient to the beloved object. Thus even Christ, though Lord of all things, was yet made of a woman; made under the law; at once free and a servant; at once in the form of God and in the form of a servant.

Let us examine the subject on a deep and less simple principle. Man is composed of a twofold nature, a spiritual and a bodily. As regards the spiritual nature, which they name the soul, he is called the spiritual, inward, new man; as regards the bodily nature, which they name the flesh, he is called the fleshly, outward, old man. The Apostle speaks of this: "Though our outward man perish, yet the inward man is renewed day by day." The result of this diversity is, that in the Scriptures opposing statements are made concerning the same man; the fact being that in the same man these two men are opposed to one another; the flesh lusting against the spirit, and the spirit against the flesh.

We first approach the subject of the inward man, that we may see by what means a man becomes justified, free, and a true Christian; that is, a spiritual, new, and inward man. It is certain that absolutely none among outward things, under whatever name they may be reckoned, has any weight in producing a state of justification and Christian liberty, nor, on the other hand, an unjustified state and one of slavery. This can be shown by an easy course of argument.

What can it profit the soul, that the body should be in good condition, free, and full of life; that it should eat, drink, and act according to its pleasure; when even the most impious slaves of every kind of vice are prosperous in these matters? Again, what harm can ill-health, bondage, hunger, thirst, or any other outward evil, do to the soul, when even the most pious of men, and the freest in the purity of their conscience, are harassed by these things? Neither of these states of things has to do with the liberty or the slavery of the soul.

And so it will profit nothing that the body should be adorned with sacred vestments, or dwell in holy places, or be occupied in sacred offices, or pray, fast, and abstain from certain meats, or do whatever works can be done through the body and in the body. Something widely different will be necessary for the justification and liberty of the soul, since the things I have spoken of can be done by any impious person, and only hypocrites are produced by devotion to these things. On the other hand, it will not at all injure the soul that the body should be clothed in profane raiment, should dwell in profane places, should eat and drink in the ordinary fashion, should not pray aloud, and should leave undone all the things abovementioned, which may be done by hypocrites.

And, to cast everything aside, even speculations, meditations, and whatever things can be performed by the exertions of the soul itself, are of no profit. One thing, and one alone, is necessary for life, justification, and Christian lib-

erty; and that is the most holy word of God, the Gospel of Christ, as He says: "I am the resurrection and the life; he that believeth in me shall not die eternally"; and also "If the Son shall make you free, ye shall be free indeed"; and "Man shall not live by bread alone, but by every word that proceedeth out of the mouth of God."

Let us therefore hold it for certain and firmly established, that the soul can do without everything, except the word of God, without which none at all of its wants are provided for. But, having the word, it is rich and wants for nothing; since that is the word of life, of truth, of light, of peace, of justification, of salvation, of joy, of liberty, of wisdom, of virtue, of grace, of glory, and of every good thing. It is on this account that the prophet in a whole psalm, and in many other places, sighs for and calls upon the word of God with so many groanings and words.

Again, there is no more cruel stroke of the wrath of God than when He sends a famine of hearing His words; just as there is no greater favour from Him than the sending forth of His word, as it is said: "He sent his word and healed them, and delivered them from their destructions." Christ was sent for no other office than that of the word, and the order of apostles, that of bishops, and that of the whole body of the clergy, have been called and instituted for no object but the ministry of the word.

But you will ask:—"What is this word, and by what means is it to be used, since there are so many words of God?" I answer, the Apostle Paul explains what it is, namely, the Gospel of God, concerning His son, incarnate, suffering, risen, and glorified through the Spirit, the sanctifier. To preach Christ is to feed the soul, to justify it, to set it free, and to save it, if it believes the preaching. For faith alone, and the efficacious use of the word of God, bring salvation. "If thou shalt confess with thy mouth the Lord Jesus, and shalt believe in thine heart that God hath raised him from the dead, thou shalt be saved." And again: "Christ is the end of the law for righteousness to every one that believeth"; and "The just shall live by faith." For the word of God cannot be received and honoured by any works, but by faith alone. Hence it is clear that, as the soul needs the word alone for life and justification, so it is justified by faith alone and not by any works. For if it could be justified by any other means, it would have no need of the word, nor consequently of faith.

But this faith cannot consist at all with works; that is, if you imagine that you can be justified by those works, whatever they are, along with it. For this would be to halt between two opinions, to worship Baal, and to kiss the hand to him, which is a very great iniquity, as Job says. Therefore, when you begin to believe, you learn at the same time that all that is in you is utterly guilty, sinful, and damnable; according to that saying: "All have sinned, and come

short of the glory of God." And also: "There is none righteous, no, not one; they are all gone out of the way; they are together become unprofitable; there is none that doeth good, no, not one." When you have learnt this, you will know that Christ is necessary for you, since He has suffered and risen again for you, that, believing on Him, you might by this faith become another man, all your sins being remitted, and you being justified by the merits of another, namely, of Christ alone.

Since then this faith can reign only in the inward man, as it is said: "With the heart man believeth unto righteousness"; and since it alone justifies, it is evident that by no outward work of labour can the inward man be at all justified, made free, and saved; and that no works whatever have any relation to him. And so, on the other hand, it is solely by impiety and incredulity of heart that he becomes guilty, and a slave of sin, deserving condemnation; not by any outward sin or work. Therefore the first care of every Christian ought to be, to lay aside all reliance on works, and strengthen his faith alone more and more, and by it grow in the knowledge, not of works, but of Christ Jesus, who has suffered and risen again for him; as Peter teaches, when he makes no other work to be a Christian one. Thus Christ, when the Jews asked Him what they should do that they might work the works of God, rejected the multitude of works, with which He saw that they were puffed up, and commanded them one thing only, saying: "This is the work of God, that ye believe on him whom He hath sent, for him hath God the Father sealed."

Hence a right faith in Christ is an incomparable treasure, carrying with it universal salvation, and preserving from all evil, as it is said: "He that believeth not shall be damned." Isaiah, looking to this treasure, predicted: "The consumption decreed shall overflow with righteousness. For the Lord God of hosts shall make a consumption, even determined, in the midst of the land." As if he said:—"Faith, which is the brief and complete fulfilling of the law, will fill those who believe with such righteousness, that they will need nothing else for justification." Thus too Paul says: "For with the heart man believeth unto righteousness."

But you ask how it can be the fact that faith alone justifies, and affords without works so great a treasure of good things, when so many works, ceremonies, and laws are prescribed to us in the Scriptures. I answer: before all things bear in mind what I have said, that faith alone without works justifies, sets free, and saves, as I shall show more clearly below.

Meanwhile it is to be noted, that the whole Scripture of God is divided into two parts, precepts and promises. The precepts certainly teach us what is good, but what they teach is not forthwith done. For they show us what we ought to do, but do not give us the power to do it. They were ordained, how-

ever, for the purpose of showing man to himself; that through them he may learn his own impotence for good, and may despair of his own strength. For this reason they are called the Old Testament, and are so.

For example: "thou shalt not covet," is a precept by which we are all convicted of sin; since no man can help coveting, whatever efforts to the contrary he may make. In order therefore that he may fulfil the precept, and not covet, he is constrained to despair of himself, and to seek elsewhere and through another the help which he cannot find in himself; as it is said: "O Israel, thou hast destroyed thyself; but in me is thine help." Now what is done by this one precept, is done by all; for all are equally impossible of fulfilment by us.

Now when a man has through the precepts been taught his own impotence, and become anxious by what means he may satisfy the law—for the law must be satisfied, so that no jot or tittle of it may pass away; otherwise he must be hopelessly condemned—then, being truly humbled and brought to nothing in his own eyes, he finds in himself no resource for justification and salvation.

Then comes in that other part of Scripture, the promises of God, which declare the glory of God, and say: "If you wish to fulfil the law, and, as the law requires, not to covet, lo! believe in Christ, in whom are promised to you grace, justification, peace, and liberty." All these things you shall have, if you believe, and shall be without them, if you do not believe. For what is impossible for you by all the works of the law, which are many and yet useless, you shall fulfil in an easy and summary way through faith; because God the Father has made everything to depend on faith, so that whosoever has it, has all things, and he who has it not, has nothing. "For God hath concluded them all in unbelief, that He might have mercy upon all." Thus the promises of God give that which the precepts exact, and fulfil what the law commands; so that all is of God alone, both the precepts and their fulfilment. He alone commands. He alone also fulfils. Hence the promises of God belong to the New Testament; nay, are the New Testament.

Now since these promises of God are words of holiness, truth, righteousness, liberty, and peace, and are full of universal goodness; the soul, which cleaves to them with a firm faith, is so united to them, nay, thoroughly absorbed by them, that it not only partakes in, but is penetrated and saturated by, all their virtue. For if the touch of Christ was healing how much more does that most tender spiritual touch, nay, absorption of the word, communicate to the soul all that belongs to the word. In this way, therefore, the soul, through faith alone, without works, is from the word of God justified, sanctified, endued with truth, peace, and liberty, and filled with every good thing, and is truly made the child of God; as it is said: "To them gave he power to become the sons of God, even to them that believe on his name."

From all this it is easy to understand why faith has such great power, and why no good works, nor even all good works put together, can compare with it; since no work can cleave to the word of God, or be in the soul. Faith alone and the word reign in it; and such as is the word, such is the soul made by it; just as iron exposed to fire glows like fire, on account of its union with the fire. It is clear then that to a Christian man his faith suffices for everything, and that he has no need of works for justification. But if he has no need of works, neither has he need of the law; and, if he has no need of the law, he is certainly free from the law, and the saying is true: "The law is not made for a righteous man." This is that Christian liberty, our faith, the effect of which is, not that we should be careless or lead a bad life, but that no one should need the law or works for justification and salvation.

Let us consider this as the first virtue of faith; and let us look also to the second. This also is an office of faith, that it honours with the utmost veneration and the highest reputation him in whom it believes, inasmuch as it holds him to be truthful and worthy of belief. For there is no honour like that reputation of truth and righteousness, with which we honour him, in whom we believe. What higher credit can we attribute to any one than truth and righteousness, and absolute goodness? On the other hand, it is the greatest insult to brand any one with the reputation of falsehood and unrighteousness, or to suspect him of these, as we do when we disbelieve him. . . .

Thus the soul, in firmly believing the promises of God, holds Him to be true and righteous; and it can attribute to God no higher glory than the credit of being so. The highest worship of God is to ascribe to Him truth, righteousness, and whatever qualities we must ascribe to one in whom we believe. In doing this the soul shows itself prepared to do His whole will; in doing this it hallows His name, and gives itself up to be dealt with as it may please God. For it cleaves to His promises, and never doubts that He is true, just, and wise, and will do, dispose, and provide for all things in the best way. Is not such a soul, in this its faith, most obedient to God in all things? What commandment does there remain which has not been amply fulfilled by such an obedience? What fulfilment can be more full than universal obedience? Now this is not accomplished by works, but by faith alone.

On the other hand, what greater rebellion, impiety, or insult to God can there be, than not to believe His promises? What else is this, than either to make God a liar, or to doubt His truth—that is, to attribute truth to ourselves, but to God falsehood and levity? In doing this, is not a man denying God and setting himself up as an idol in his own heart? What then can works, done in such a state of impiety, profit us, were they even angelic or apostolic works? Rightly hath God shut up all—not in wrath nor in lust—but in unbelief; in

order that those who pretend that they are fulfilling the law by works of purity and benevolence (which are social and human virtues), may not presume that they will therefore be saved; but, being included in the sin of unbelief, may either seek mercy, or be justly condemned. . . .

The third incomparable grace of faith is this, that it unites the soul to Christ, as the wife to the husband; by which mystery, as the Apostle teaches, Christ and the soul are made one flesh. Now if they are one flesh, and if a true marriage—nay, by far the most perfect of all marriages—is accomplished between them (for human marriages are but feeble types of this one great marriage), then it follows that all they have becomes theirs in common, as well good things as evil things; so that whatsoever Christ possesses, that the believing soul may take to itself and boast of as its own, and whatever belongs to the soul, that Christ claims as his.

If we compare these possessions, we shall see how inestimable is the gain. Christ is full of grace, life, and salvation; the soul is full of sin, death, and condemnation. Let faith step in, and then sin, death, and hell will belong to Christ, and grace, life, and salvation to the soul. For, if he is a husband, he must needs take to himself that which is his wife's, and, at the same time, impart to his wife that which is his. For, in giving her his own body and himself, how can he but give her all that is his? And, in taking to himself the body of his wife, how can he but take to himself all that is hers?

In this is displayed the delightful sight, not only of communion, but of a prosperous warfare, of victory, salvation, and redemption. For since Christ is God and man, and is such a person as neither has sinned, nor dies, nor is condemned,—nay, cannot sin, die or be condemned; and since his righteousness, life, and salvation are invincible, eternal, and almighty; when, I say, such a person, by the wedding-ring of faith, takes a share in the sins, death, and hell of his wife, nay, makes them his own, and deals with them no otherwise than as if they were his, and as if he himself had sinned; and when he suffers, dies, and descends to hell, that he may overcome all things, since sin, death, and hell cannot swallow him up, they must needs be swallowed up by him in stupendous conflict. For his righteousness rises above the sins of all men; his life is more powerful than all death; his salvation is more unconquerable than all hell.

Thus the believing soul, by the pledge of its faith in Christ, becomes free from all sin, fearless of death, safe from hell, and endowed with the eternal righteousness, life, and salvation of its husband Christ. Thus he presents to himself a glorious bride, without spot or wrinkle, cleansing her with the washing of water by the word; that is, by faith in the word of life, righteousness, and salvation. Thus he betroths her unto himself "in faithfulness, in

righteousness, and in judgment, and in lovingkindness, and in mercies. . . .”

From all this you will again understand, why so much importance is attributed to faith, so that it alone can fulfil the law, and justify without any works. For you see that the first commandment, which says, “Thou shalt worship one God only,” is fulfilled by faith alone. If you were nothing but good works from the soles of your feet to the crown of your head, you would not be worshipping God, nor fulfilling the first commandment, since it is impossible to worship God, without ascribing to Him the glory of truth and of universal goodness, as it ought in truth to be ascribed. Now this is not done by works, but only by faith of heart. It is not by working, but by believing, that we glorify God and confess Him to be true. On this ground faith is the sole righteousness of a Christian man, and the fulfilling of all the commandments. For to him who fulfils the first, the task of fulfilling all the rest is easy.

Works, since they are irrational things, cannot glorify God; although they may be done to the glory of God, if faith be present. But at present we are enquiring, not into the quality of the works done, but into him who does them, who glorifies God, and brings forth good works. This is faith of heart, the head and the substance of all our righteousness. Hence that is a blind and perilous doctrine which teaches that the commandments are fulfilled by works. The commandments must have been fulfilled, previous to any good works, and good works follow their fulfilment, as we shall see. . . .

Let it suffice to say this concerning the inner man and its liberty, and concerning that righteousness of faith, which needs neither laws nor good works; nay, they are even hurtful to it, if any one pretends to be justified by them.

And now let us turn to the other part, to the outward man. Here we shall give an answer to all those who, taking offence at the word of faith and at what I have asserted, say: “If faith does everything, and by itself suffices for justification, why then are good works commanded? Are we then to take our ease and do no works, content with faith?” Not so, impious men, I reply; not so. That would indeed really be the case, if we were thoroughly and completely inner and spiritual persons; but that will not happen until the last day, when the dead shall be raised. As long as we live in the flesh, we are but beginning and making advances in that which shall be completed in a future life. On this account the Apostle calls that which we have in this life, the first-fruits of the Spirit. In future we shall have the tenths, and the fulness of the Spirit. To this part belongs the fact I have stated before, that the Christian is the servant of all and subject to all. For in that part in which he is free, he does no works, but in that in which he is a servant, he does all works. Let us see on what principle this is so.

Although, as I have said, inwardly, and according to the spirit, a man is amply enough justified by faith, having all that he requires to have, except that this very faith and abundance ought to increase from day to day, even till the future life; still he remains in this mortal life upon earth, in which it is necessary that he should rule his own body, and have intercourse with men. Here then works begin; here he must not take his ease; here he must give heed to exercise his body by fastings, watchings, labour, and other moderate discipline, so that it may be subdued to the spirit, and obey and conform itself to the inner man and faith, and not rebel against them nor hinder them, as is its nature to do if it is not kept under. For the inner man, being conformed to God, and created after the image of God through faith, rejoices and delights itself in Christ, in whom such blessings have been conferred on it; and hence has only this task before it, to serve God with joy and for nought in free love.

In doing this he offends that contrary will in his own flesh, which is striving to serve the world, and to seek its own gratification. This the spirit of faith cannot and will not bear; but applies itself with cheerfulness and zeal to keep it down and restrain it; as Paul says: "I delight in the law of God after the inward man; but I see another law in my members, warring against the law of my mind, and bringing me into captivity to the law of sin." And again: "I keep under my body, and bring it into subjection, lest that by any means, when I have preached to others, I myself should be a castaway." And: "They that are Christ's have crucified the flesh with the affections and lusts."

These works, however, must not be done with any notion that by them a man can be justified before God—for faith, which alone is righteousness before God, will not bear with this false notion—but solely with this purpose, that the body may be brought into subjection, and be purified from its evil lusts, so that our eyes may be turned only to purging away those lusts. For when the soul has been cleansed by faith and made to love God, it would have all things to be cleansed in like manner; and especially its own body, so that all things might unite with it in the love and praise of God. Thus it comes that, from the requirements of his own body, a man cannot take his ease, but is compelled on its account to do many good works, that he may bring it into subjection. Yet these works are not the means of his justification before God; he does them out of disinterested love to the service of God; looking to no other end than to do what is well-pleasing to Him whom he desires to obey most dutifully in all things.

On this principle every man may easily instruct himself in what measure, and with what distinctions, he ought to chasten his own body. He will fast, watch, and labour, just as much as he sees to suffice for keeping down the wantonness and concupiscence of the body. But those who pretend to be jus-

tified by works are looking, not to the mortification of their lusts, but only to the works themselves; thinking that, if they can accomplish as many works and as great ones as possible, all is well with them, and they are justified. Sometimes they even injure their brain, and extinguish nature, or at least make it useless. This is enormous folly, and ignorance of Christian life and faith, when a man seeks, without faith, to be justified and saved by works.

To make what we have said more easily understood, let us set it forth under a figure. The works of a Christian man, who is justified and saved by his faith out of the pure and unbought mercy of God, ought to be regarded in the same light as would have been those of Adam and Eve in Paradise, and of all their posterity, if they had not sinned. Of them it is said: "The Lord God took the man, and put him into the garden of Eden to dress it and to keep it." Now Adam had been created by God just and righteous, so that he could not have needed to be justified and made righteous by keeping the garden and working in it; but, that he might not be unemployed, God gave him the business of keeping and cultivating Paradise. These would have indeed been works of perfect freedom, being done for no object but that of pleasing God, and not in order to obtain justification, which he already had to the full, and which would have been innate in us all.

So it is with the works of a believer. Being by his faith replaced afresh in Paradise and created anew, he does not need works for his justification, but that he may not be idle, but may keep his own body and work upon it. His works are to be done freely, with the sole object of pleasing God. Only we are not yet fully created anew in perfect faith and love; these require to be increased, not however through works, but through themselves.

A bishop, when he consecrates a church, confirms children, or performs any other duty of his office, is not consecrated as bishop by these works; nay, unless he had been previously consecrated as bishop, not one of those works would have any validity; they would be foolish, childish, and ridiculous. Thus a Christian, being consecrated by his faith, does good works; but he is not by these works made a more sacred person, or more a Christian. That is the effect of faith alone; nay, unless he were previously a believer and a Christian, none of his works would have any value at all, they would really be impious and damnable sins.

True then are these two sayings: Good works do not make a good man, but a good man does good works. Bad works do not make a bad man, but a bad man does bad works. Thus it is always necessary that the substance or person should be good before any good works can be done, and that good works should follow and proceed from a good person. As Christ says: "A good tree cannot bring forth evil fruit, neither can a corrupt tree bring forth good fruit."

Now it is clear that the fruit does not bear the tree, nor does the tree grow on the fruit; but, on the contrary, the trees bear the fruit and the fruit grows on the trees.

As then trees must exist before their fruit, and as the fruit does not make the tree either good or bad, but, on the contrary, a tree of either kind produces fruit of the same kind; so must first the person of the man be good or bad, before he can do either a good or a bad work; and his works do not make him bad or good, but he himself makes his works either bad or good.

We may see the same thing in all handicrafts. A bad or good house does not make a bad or good builder, but a good or bad builder makes a good or bad house. And in general, no work makes the workman such as it is itself; but the workman makes the work such as he is himself. Such is the case too with the works of men. Such as the man himself is, whether in faith or in unbelief, such is his work; good if it be done in faith, bad if in unbelief. But the converse is not true—that, such as the work is, such the man becomes in faith or in unbelief. For as works do not make a believing man, so neither do they make a justified man; but faith, as it makes a man a believer and justified, so also it makes his works good.

Since, then, works justify no man, but a man must be justified before he can do any good work, it is most evident that it is faith alone which, by the mere mercy of God through Christ, and by means of His word, can worthily and sufficiently justify and save the person; and that a Christian man needs no work, no law, for his salvation; for by faith he is free from all law, and in perfect freedom does gratuitously all that he does, seeking nothing either of profit or of salvation—since by the grace of God he is already saved and rich in all things through his faith—but solely that which is well-pleasing to God.

So too no good work can profit an unbeliever to justification and salvation; and on the other hand no evil work makes him an evil and condemned person, but that unbelief, which makes the person and the tree bad, makes his works evil and condemned. Wherefore, when any man is made good or bad, this does not arise from his works, but from his faith or unbelief, as the wise man says: "The beginning of sin is to fall away from God"; that is, not to believe, Paul says: "He that cometh to God must believe"; and Christ says the same thing: "Either make the tree good, and his fruit good; or else make the tree corrupt, and his fruit corrupt." As much as to say: He who wishes to have good fruit, will begin with the tree, and plant a good one; even so he who wishes to do good works must begin, not by working, but by believing, since it is this which makes the person good. For nothing makes the person good but faith, nor bad but unbelief.

It is certainly true that, in the sight of men, a man becomes good or evil by

his works; but here "becoming" means that it is thus shown and recognized who is good or evil; as Christ says: "By their fruits ye shall know them." But all this stops at appearances and externals; and in this matter very many deceive themselves, when they presume to write and teach that we are to be justified by good works, and meanwhile make no mention even of faith, walking in their own ways, ever deceived and deceiving, going from bad to worse, blind leaders of the blind, wearying themselves with many works, and yet never attaining to true righteousness; of whom Paul says: "Having a form of godliness, but denying the power thereof; ever learning, and never able to come to the knowledge of the truth. . . ."

Here is the truly Christian life; here is faith really working by love; when a man applies himself with joy and love to the works of that freest servitude, in which he serves others voluntarily and for nought; himself abundantly satisfied in the fulness and riches of his own faith. . . .

Thus from faith flow forth love and joy in the Lord, and from love a cheerful, willing, free spirit, disposed to serve our neighbour voluntarily, without taking any account of gratitude or ingratitude, praise or blame, gain or loss. Its object is not to lay men under obligations, nor does it distinguish between friends and enemies, or look to gratitude or ingratitude, but most freely and willingly spends itself and its goods, whether it loses them through ingratitude, or gains good will. For thus did its Father, distributing all things to all men abundantly and freely; making His sun to rise upon the just and the unjust. Thus too the child does and endures nothing, except from the free joy with which it delights through Christ in God, the giver of such great gifts. . . .

Finally, for the sake of those to whom nothing can be stated so well but that they misunderstand and distort it, we must add a word, in case they can understand even that. There are very many persons, who, when they hear of this liberty of faith, straightway turn it into an occasion of licence. They think that everything is now lawful for them, and do not choose to show themselves free men and Christians in any other way than by their contempt and reprehension of ceremonies, of traditions, of human laws; as if they were Christians merely because they refuse to fast on stated days, or eat flesh when others fast, or omit the customary prayers; scoffing at the precepts of men, but utterly passing over all the rest that belongs to the Christian religion. On the other hand, they are most pertinaciously resisted by those who strive after salvation solely by their observance of and reverence for ceremonies; as if they would be saved merely because they fast on stated days, or abstain from flesh, or make formal prayers; talking loudly of the precepts of the Church and of the Fathers, and not caring a straw about those things which belong to our

genuine faith. Both these parties are plainly culpable, in that, while they neglect matters which are of weight and necessary for salvation, they contend noisily about such as are without weight and not necessary.

How much more rightly does the Apostle Paul teach us to walk in the middle path, condemning either extreme, and saying: "Let not him that eateth despise him that eateth not; and let not him which eateth not judge him that eateth." You see here how the Apostle blames those who, not from religious feeling, but in mere contempt, neglect and rail at ceremonial observances; and teaches them not to despise, since this "knowledge puffeth up." Again he teaches the pertinacious upholders of these things not to judge their opponents. For neither party observes towards the other that charity which edifieth. In this matter we must listen to Scripture, which teaches us to turn aside neither to the right hand nor to the left, but to follow those right precepts of the Lord which rejoice the heart. For just as a man is not righteous, merely because he serves and devotes himself to works and ceremonial rites, so neither will he be accounted righteous, merely because he neglects and despises them.

It is not from works that we are set free by the faith of Christ, but from the belief in works, that is, from foolishly presuming to seek justification through works. Faith redeems our consciences, makes them upright and preserves them, since by it we recognise the truth that justification does not depend on our works, although good works neither can nor ought to be wanting to it; just as we cannot exist without food and drink and all the functions of this mortal body. Still it is not on them that our justification is based, but on faith; and yet they ought not on that account to be despised or neglected. Thus in this world we are compelled by the needs of this bodily life; but we are not hereby justified. "My kingdom is not hence, nor of this world," says Christ; but He does not say: "My kingdom is not here, nor in this world." Paul too says: "Though we walk in the flesh, we do not war after the flesh"; and: "The life which I now live in the flesh I live by the faith of the Son of God." Thus our doings, life, and being, in works and ceremonies, are done from the necessities of this life, and with the motive of governing our bodies; but yet we are not justified by these things, but by the faith of the Son of God. . . .

Since, then, we cannot live in this world without ceremonies and works; since the hot and inexperienced period of youth has need of being restrained and protected by such bonds; and since every one is bound to keep under his own body by attention to these things; therefore the minister of Christ must be prudent and faithful in so ruling and teaching the people of Christ in all these matters that no root of bitterness may spring up among them, and so many be defiled, as Paul warned the Hebrews; that is, that they may not lose

the faith, and begin to be defiled by a belief in works, as the means of justification. This is a thing which easily happens, and defiles very many, unless faith be constantly inculcated along with works. It is impossible to avoid this evil, when faith is passed over in silence, and only the ordinances of men are taught, as has been done hitherto by the pestilent, impious, and soul-destroying traditions of our pontiffs, and opinions of our theologians. An infinite number of souls have been drawn down to hell by these snares, so that you may recognise the work of Antichrist. . . .

Hence in the Christian life ceremonies are to be not otherwise looked upon than builders and workmen look upon those preparations for building or working which are not made with any view of being permanent or anything in themselves, but only because without them there could be no building and no work. When the structure is completed, they are laid aside. Here you see that we do not condemn these preparations, but set the highest value on them; a belief in them we do condemn, because no one thinks that they constitute a real and permanent structure. If anyone were so manifestly out of his senses as to have no other object in life but that of setting up these preparations with all possible expense, diligence, and perseverance, while he never thought of the structure itself, but pleased himself and made his boast of these useless preparations and props; should we not all pity his madness, and think that, at the cost thus thrown away, some great building might have been raised?

JOHN CALVIN

WITHIN A GENERATION after Luther's posting of the Ninety-five Theses the Reformation showed two distinct types of Protestantism. The first stemmed from Luther, the second and more legalistic and literal-minded, from Ulrich Zwingli (1484-1531) and especially from John Calvin (1509-64), who responded to the need for institutionalizing the still inchoate spirit of reform and who was the center of the international Protestantism that went forth from Geneva. Calvin was a Frenchman, born in Picardy and reared by aristocratic foster parents. After studying scholastic philosophy in Paris, he shifted to jurisprudence and attended schools at Bourges and Orléans, coming under the influence of Protestant teachers at the latter place. Through the humanists Lefèvre d'Étaples (c.1455-1536) and Erasmus he was introduced to Luther's writings. Although the influence of Zwingli, who had been in disagreement with Luther at many points, is more apparent in Calvin's writings, and although Calvin's interests were broader than those of Luther and more humanistic, he always regarded Luther as the spiritual father of the entire reform movement. By 1534 Calvin's heretical opinions were conspicuous enough to make his leaving France advisable.

In 1536 Calvin published at Basel in Switzerland the first edition of his *Institutes of the Christian Religion*, to which was prefixed a dedication to Francis I of France, with a plea on behalf of the Reformed faith. Though the plea was unsuccessful and the *Institutes* was condemned in 1542 by the French monarch, it became the source book and arsenal of Protestant thought and came to occupy a place in informed Protestant opinion similar to that of the *Summa* within the Catholic world. Calvin wrote the *Institutes* originally in Latin but translated it into French in 1541. The book reappeared in ever larger editions.

In 1536 Calvin went to Geneva, which was already evangelical. With the self-assurance and the severity of the born moralist he began preaching and organizing at once, with the result that he was expelled in 1538 by the town council. In 1541, however, Calvin, whose reputation had been established by his *Institutes*, was recalled to take charge of the troubled affairs of the city. He immediately instituted the theocracy which in a short time made of Geneva the center of the Protestant world, "the most perfect school of Christ that ever was on earth since the days of the apostles," as John Knox put it. The Calvinist theocracy subjected the secular life of the city to the spiritual authority. Decisive power was given to the so-called Congregation, which consisted of the clergy and which proposed legislation for the consideration of the Consistory, made up of the clergy and of twelve elders representing the lay population and chosen by the town council. The office of the Consistory was "to keep watch on the life of everyone," and it was Calvin's hope that Geneva might be turned into a city of saints through the unbending regulation of the daily lives of its citizens down to the minutest detail. Literal interpretation of the Bible was the basis of Calvin's rule, and what was prohibited was not simply what the Bible expressly condemned but whatever it did not specifically enjoin. The ideal which Calvin attempted to impose on Geneva was uncompromisingly otherworldly. "There is no medium between these two extremes, either the earth must

become vile in our estimation, or it must retain our immoderate love. Wherefore if we have any concern about eternity, we must use our most diligent efforts to extricate ourselves from these fetters."

Such a regime had its limitations, of course. "As I see that we cannot forbid men all diversions," Calvin admitted, "I confine myself to those that are really bad." The list of prohibitions was large, and that Geneva did become almost a city of saints was not due primarily to the sudden regeneration of its citizens. The most unregenerate died off, however, or they were executed or banished, and their places were taken by persons who might once have entered a cloister but who now flocked to a community at least as straitly bound as any monastery under the Benedictine rule.

The theology which lay behind Calvin's austere control of Geneva was distinguished by its preoccupation with the theme of God's omnipotent will. Like Luther, Calvin separated the attainment of salvation from the doing of good works. The basis of this position, however, was not primarily a belief in God's grace, but a belief that salvation was completely subject to God's omnipotence. Whom He would choose to save is saved; whom He would condemn is predestined to damnation without any appeal. Salvation lies in the faith that will submit to "God's eternal decree," inscrutable and (as Calvin says) "frightful" as it may be. The moral life was accepted in a fatalistic way as the specifically ordained privilege of God's election. Good works do not constitute the means to salvation but are, rather, a possible sign that one is saved.

In contrast with the explosive and mystical Luther, Calvin was legalistic and rationalistic, attempting in his *Institutes* to derive an unchangeable doctrine on the basis of deduction from indubitable first principles. It was Calvin rather than Luther who institutionalized the Reformation, and his theocracy contrasts starkly with Luther's individualistic and democratic version of the religious life. It was Calvinism rather than Lutheranism which was politically radical, however. Luther insisted on the supremacy of civil authority over the spiritual, and ended by exalting political tyranny. The Calvinist theocracy, on the other hand, subjected the civil authority to the spiritual; in the light of God's overwhelming omnipotence all distinction between the high and the low in human society seemed to be erased and belief in God's spiritual election contributed to lift the lowly above the pretensions of any earthly monarch.

The following translation is by John Allen (Philadelphia, Presbyterian Board of Christian Education, 1928).



INSTITUTES OF THE CHRISTIAN RELIGION

GOD'S PRESERVATION AND SUPPORT OF THE WORLD BY HIS POWER, AND HIS
GOVERNMENT OF EVERY PART OF IT BY HIS PROVIDENCE

TO REPRESENT GOD as a Creator only for a moment, who entirely finished all his work at once, were frigid and jejune; and in this it behoves us especially to

differ from the heathen, that the presence of the Divine power may appear to us no less in the perpetual state of the world than in its first origin. For although the minds even of impious men, by the mere contemplation of earth and heaven, are constrained to rise to the Creator, yet faith has a way peculiar to itself to assign to God the whole praise of creation. To which purpose is that assertion of an Apostle before cited, that it is only "through faith that we understand the worlds were framed by the word of God"; because, unless we proceed to his providence, we have no correct conception of the meaning of this article, "that God is the Creator"; however we may appear to comprehend it in our minds, and to confess it with our tongues. The carnal sense, when it has once viewed the power of God in the creation, stops there; and when it proceeds the furthest, it only examines and considers the wisdom, and power, and goodness, of the Author in producing such a work, which spontaneously present themselves to the view even of those who are unwilling to observe them. In the next place, it conceives of some general operation of God in preserving and governing it, on which the power of motion depends. Lastly, it supposes that the vigour originally infused by God into all things is sufficient for their sustentation. But faith ought to penetrate further. When it has learned that he is the Creator of all things, it should immediately conclude that he is also their perpetual governor and preserver; and that not by a certain universal motion, actuating the whole machine of the world, and all its respective parts, but by a particular providence sustaining, nourishing, and providing for every thing which he has made. . . .

But as we know that the world was made chiefly for the sake of mankind, we must also observe this end in the government of it. The Prophet Jeremiah exclaims, "I know that the way of man is not in himself: it is not in man that walketh to direct his steps." And Solomon: "Man's goings are of the Lord: how can a man then understand his own way?" Now, let them say that man is actuated by God according to the bias of his nature, but that he directs that influence according to his own pleasure. If this could be asserted with truth, man would have the free choice of his own ways. That, perhaps, they will deny, because he can do nothing independently of the power of God. But since it is evident that both the Prophet and Solomon ascribe to God choice and appointment, as well as power, this by no means extricates them from the difficulty. But Solomon, in another place, beautifully reproves this temerity of men, who predetermine on an end for themselves, without regard to God, as though they were not led by his hand: "The preparation of the heart in man," says he, "and the answer of the tongue, is from the Lord." It is, indeed, a ridiculous madness for miserable men to resolve on undertaking any work independently of God, whilst they cannot even speak a word but what he chooses. Moreover, the Scripture, more fully to express that nothing is transacted in the

world but according to his destination, shows that those things are subject to him which appear most fortuitous. For what would you be more ready to attribute to chance, than when a limb broken off from a tree kills a passing traveller? But very different is the decision of the Lord, who acknowledges that he has delivered him into the hand of the slayer. Who, likewise, does not leave lots to the blindness of fortune? Yet the Lord leaves them not, but claims the disposal of them himself. He teaches us that it is not by any power of their own that lots are cast into the lap and drawn out; but the only thing which could be ascribed to chance, he declares to belong to himself. To the same purpose is another passage from Solomon: "The poor and the deceitful man meet together: the Lord enlighteneth the eyes of them both." For although the poor and the rich are blended together in the world, yet, as their respective conditions are assigned to them by Divine appointment, he suggests that God, who enlightens all, is not blind, and thus exhorts the poor to patience; because those who are discontented with their lot, are endeavouring to shake off the burden imposed on them by God. Thus also another Prophet rebukes profane persons, who attribute it to human industry, or to fortune, that some men remain in obscurity, and others rise to honours: "Promotion cometh neither from the east, nor from the west, nor from the south. But God is the Judge; he putteth down one, and setteth up another." Since God cannot divest himself of the office of a judge, hence he reasons, that it is from the secret counsel of God, that some rise to promotion, and others remain in contempt. . . .

THE PROPER APPLICATION OF THIS DOCTRINE TO RENDER IT USEFUL TO US

. . . Those who have learned this modesty, will neither murmur against God on account of past adversities, nor charge him with the guilt of their crimes, like Agamemnon, in Homer, who says, "The blame belongs not to me, but to Jupiter and Fate." Nor will they, as if hurried away by the Fates, under the influence of despair, put an end to their own lives, like the young man whom Plautus introduces as saying, "The condition of our affairs is inconstant; men are governed by the caprice of the Fates; I will betake myself to a precipice, and there destroy my life and every thing at once." Nor will they excuse their flagitious actions by ascribing them to God, after the example of another young man introduced by the same poet, who says, "God was the cause: I believe it was the Divine will. For had it not been so, I know it would not have happened." But they will rather search the Scripture, to learn what is pleasing to God, that by the guidance of the Spirit they may strive to attain it; and at the same time, being prepared to follow God whithersoever he calls them, they will exhibit proofs in their conduct that nothing is more useful than a knowledge of this doctrine. Some profane men foolishly raise

such a tumult with their absurdities, as almost, according to a common expression, to confound heaven and earth together. They argue in this manner: If God has fixed the moment of our death, we cannot avoid it; therefore all caution against it will be but lost labour. One man dares not venture himself in a way which he hears is dangerous, lest he should be assassinated by robbers; another sends for physicians, and wearies himself with medicines, to preserve his life; another abstains from the grosser kinds of food, lest he should injure his valetudinary constitution; another dreads to inhabit a ruinous house; and men in general exert all their faculties in devising and executing methods by which they may attain the object of their desires. Now, either all these things are vain remedies employed to correct the will of God, or life and death, health and disease, peace and war, and other things which, according to their desires or aversions, men industriously study to obtain or to avoid, are not determined by his certain decree. Moreover they conclude, that the prayers of the faithful are not only superfluous, but perverse, which contain petitions that the Lord will provide for those things which he has already decreed from eternity. In short, they supersede all deliberations respecting futurity, as opposed to the providence of God, who, without consulting men, has decreed whatever he pleased. And what has already happened they impute to the Divine providence in such a manner as to overlook the person, who is known to have committed any particular act. Has an assassin murdered a worthy citizen? they say he has executed the counsel of God. Has any one been guilty of theft or fornication? because he has done what was foreseen and ordained by the Lord, he is the minister of his providence. Has a son, neglecting all remedies, carelessly waited the death of his father? it was impossible for him to resist God, who had decreed this event from eternity. Thus by these persons all crimes are denominated virtues, because they are subservient to the ordination of God. . . .

The same persons inconsiderately and erroneously ascribe all past events to the absolute providence of God. For since all things which come to pass are dependent upon it, therefore, say they, neither thefts, nor adulteries, nor homicides, are perpetrated without the intervention of the Divine will. Why, therefore, they ask, shall a thief be punished for having pillaged him whom it has pleased the Lord to chastise with poverty? Why shall a homicide be punished for having slain him whose life the Lord had terminated? If all such characters are subservient to the Divine will, why shall they be punished? But I deny that they serve the will of God. For we cannot say, that he who is influenced by a wicked heart, acts in obedience to the commands of God, while he is only gratifying his own malignant passion. That man obeys God, who, being instructed in his will, hastens whither God calls him. Where can we learn his

will, but in his word? Therefore in our actions we ought to regard the will of God, which is declared in his word. God only requires of us conformity to his precepts. If we do any thing contrary to them, it is not obedience, but contumacy and transgression. But it is said, if he would not permit it, we should not do it. This I grant. But do we perform evil actions with the design of pleasing him? He gives us no such command. We precipitate ourselves into them, not considering what is his will, but inflamed with the violence of our passions, so that we deliberately strive to oppose him. In this manner even by criminal actions we subserve his righteous ordination; because, in the infinite greatness of his wisdom, he well knows how to use evil instruments for the accomplishment of good purposes. . . .

MAN, IN HIS PRESENT STATE DESPOILED OF FREEDOM OF WILL, AND SUB-
JECTED TO A MISERABLE SLAVERY

Since we have seen that the domination of sin, from the time of its subjugation of the first man, not only extends over the whole race, but also exclusively possesses every soul, it now remains to be more closely investigated, whether we are despoiled of all freedom, and, if any particle of it yet remain, how far its power extends. But, that we may the more easily discover the truth of this question, I will first set up by the way a mark, by which our whole course must be regulated. The best method of guarding against error is to consider the dangers which threaten us on every side. For when man is declared to be destitute of all rectitude, he immediately makes it an occasion of slothfulness; because he is said to have no power of himself for the pursuit of righteousness, he totally neglects it, as though it did not at all concern him. On the other hand, he cannot arrogate any thing to himself, be it ever so little, without God being robbed of his honour, and himself being endangered by presumptuous temerity. Therefore, to avoid striking on either of these rocks, this will be the course to be pursued—that man, being taught that he has nothing good left in his possession, and being surrounded on every side with the most miserable necessity, should, nevertheless, be instructed to aspire to the good of which he is destitute, and to the liberty of which he is deprived; and should be roused from indolence with more earnestness, than if he were supposed to be possessed of the greatest strength. The necessity of the latter is obvious to every one. The former, I perceive, is doubted by more than it ought to be. For this being placed beyond all controversy, that man must not be deprived of any thing that properly belongs to him, it ought also to be manifest how important it is that he should be prevented from false boasting. For if he was not even then permitted to glory in himself, when by the Divine beneficence he was decorated with the noblest ornaments, how much ought he now to be hum-

bled, when, on account of his ingratitude, he has been hurled from the summit of glory to the abyss of ignominy! At that time, I say, when he was exalted to the most honourable eminence, the Scripture attributes nothing to him, but that he was created after the image of God; which certainly implies that his happiness consisted not in any goodness of his own, but in a participation of God. What, then, remains for him now, deprived of all glory, but that he acknowledge God, to whose beneficence he could not be thankful, when he abounded in the riches of his favour? and that he now, at least, by a confession of his poverty, glorify him, whom he glorified not by an acknowledgment of his blessings? It is also no less conducive to our interests than to the Divine glory, that all the praise of wisdom and strength be taken away from us; so that they join sacrilege to our fall, who ascribe to us any thing more than truly belongs to us. For what else is the consequence, when we are taught to contend in our own strength, but that we are lifted into the air on a reed, which being soon broken, we fall to the ground. Though our strength is placed in too favourable a point of view, when it is compared to a reed. For it is nothing but smoke, whatever vain men have imagined and pretended concerning it. Wherefore it is not without reason, that that remarkable sentence is so frequently repeated by Augustine, that free will is rather overthrown than established even by its own advocates. It was necessary to premise these things for the sake of some, who, when they hear that human power is completely subverted in order that the power of God may be established in man, inveterately hate this whole argument, as dangerous and unprofitable; which yet appears to be highly useful to us, and essential to true religion. . . .

This being admitted will place it beyond all doubt, that man is not possessed of free will for good works, unless he be assisted by grace, and that special grace which is bestowed on the elect alone in regeneration. For I stop not to notice those fanatics, who pretend that grace is offered equally and promiscuously to all. But it does not yet appear, whether he is altogether deprived of power to do good, or whether he yet possesses some power, though small and feeble; which of itself can do nothing, but by the assistance of grace does also perform its part. Lombard, in order to establish this notion, informs us that two sorts of grace are necessary to qualify us for the performance of good works. One he calls operative, by which we efficaciously will what is good; the other cooperative, which attends as auxiliary to a good will. This division I dislike, because, while he attributes an efficacious desire of what is good to the grace of God, he insinuates that man has of his own nature antecedent, though ineffectual, desires after what is good; as Bernard asserts that a good will is the work of God, but yet allows that man is self-impelled to desire such a good will. But this is very remote from the meaning of Augustine, from whom, however,

Lombard would be thought to have borrowed this division. The second part of it offends me by its ambiguity, which has produced a very erroneous interpretation. For they have supposed that we cooperate with the second sort of Divine grace, because we have it in our power either to frustrate the first sort by rejecting it, or to confirm it by our obedience to it. The author of the treatise "On the Vocation of the Gentiles" expresses it thus—that those who have the use of reason and judgment are at liberty to depart from grace, that they may be rewarded for not having departed, and that what is impossible without the cooperation of the Spirit, may be imputed to their merits, by whose will it might have been prevented. These two things I have thought proper to notice as I proceed, that the reader may perceive how much I dissent from the sounder schoolmen. For I differ considerably more from the later sophists, as they have departed much further from the judgment of antiquity. However, we understand from this division, in what sense they have ascribed free will to man. For Lombard at length pronounces, that we are not therefore possessed of free will, because we have an equal power to do or to think either good or evil, but only because we are free from constraint. And this liberty is not diminished, although we are corrupt, and the slaves of sin, and capable of doing nothing but sin.

Then man will be said to possess free will in this sense, not that he has an equally free election of good and evil, but because he does evil voluntarily, and not by constraint. That, indeed, is very true; but what end could it answer to decorate a thing so diminutive with a title so superb? Egregious liberty indeed, if man be not compelled to serve sin, but yet is such a willing slave, that his will is held in bondage by the fetters of sin. I really abominate contentions about words, which disturb the Church without producing any good effect; but I think that we ought religiously to avoid words which signify any absurdity, particularly when they lead to a pernicious error. How few are there, pray, who, when they hear free will attributed to man, do not immediately conceive, that he has the sovereignty over his own mind and will, and is able by his innate power to incline himself to whatever he pleases? But it will be said, all danger from these expressions will be removed, if the people are carefully apprized of their signification. But on the contrary, the human mind is naturally so prone to falsehood, that it will sooner imbibe error from one single expression, than truth from a prolix oration; of which we have a more certain experiment than could be wished in this very word. For neglecting that explanation of the fathers, almost all their successors have been drawn into a fatal self-confidence, by adhering to the original and proper signification of the word. . . .

But I am obliged to repeat here, what I premised in the beginning of this

chapter—that he who feels the most consternation, from a consciousness of his own calamity, poverty, nakedness, and ignominy, has made the greatest proficiency in the knowledge of himself. For there is no danger that man will divest himself of too much, provided he learns that what is wanting in him may be recovered in God. But he cannot assume to himself even the least particle beyond his just right, without ruining himself with vain confidence, and incurring the guilt of enormous sacrilege, by transferring to himself the honour which belongs to God. And whenever our minds are pestered with this cupidity, to desire to have something of our own, which may reside in ourselves rather than in God, we may know that this idea is suggested by the same counsellor, who excited in our first parents the desire of resembling “gods, knowing good and evil.” . . .

ETERNAL ELECTION, OR GOD’S PREDESTINATION OF SOME TO SALVATION, AND OF OTHERS TO DESTRUCTION

The covenant of life not being equally preached to all, and among those to whom it is preached not always finding the same reception, this diversity discovers the wonderful depth of the Divine judgment. Nor is it to be doubted that this variety also follows, subject to the decision of God’s eternal election. If it be evidently the result of the Divine will, that salvation is freely offered to some, and others are prevented from attaining it,—this immediately gives rise to important and difficult questions, which are incapable of any other explication, than by the establishment of pious minds in what ought to be received concerning election and predestination—a question, in the opinion of many, full of perplexity; for they consider nothing more unreasonable, than that, of the common mass of mankind, some should be predestinated to salvation, and others to destruction. But how unreasonably they perplex themselves will afterwards appear from the sequel of our discourse. Besides, the very obscurity which excites such dread, not only displays the utility of this doctrine, but shows it to be productive of the most delightful benefit. We shall never be clearly convinced as we ought to be, that our salvation flows from the fountain of God’s free mercy, till we are acquainted with his eternal election, which illustrates the grace of God by this comparison, that he adopts not all promiscuously to the hope of salvation, but gives to some what he refuses to others. Ignorance of this principle evidently detracts from the Divine glory, and diminishes real humility. But according to Paul, what is so necessary to be known, never can be known, unless God, without any regard to works, chooses those whom he has decreed. “At this present time also, there is a remnant according to the election of grace. And if by grace, then it is no more of works; otherwise,

grace is no more grace. But if it be of works, then it is no more grace; otherwise, work is no more work." If we need to be recalled to the origin of election, to prove that we obtain salvation from no other source than the mere goodness of God, they who desire to extinguish this principle, do all they can to obscure what ought to be magnificently and loudly celebrated, and to pluck humility by the roots. In ascribing the salvation of the remnant of the people to the election of grace, Paul clearly testifies, that it is then only known that God saves whom he will of his mere good pleasure, and does not dispense a reward to which there can be no claim. They who shut the gates to prevent any one from presuming to approach and taste this doctrine, do no less injury to man than to God; for nothing else will be sufficient to produce in us suitable humility, or to impress us with a due sense of our great obligations to God. Nor is there any other basis for solid confidence, even according to the authority of Christ, who, to deliver us from all fear, and render us invincible amidst so many dangers, snares, and deadly conflicts, promises to preserve in safety all whom the Father has committed to his care. Whence we infer, that they who know not themselves to be God's peculiar people will be tortured with continual anxiety; and therefore, that the interest of all believers, as well as their own, is very badly consulted by those who, blind to the three advantages we have remarked, would wholly remove the foundation of our salvation. And hence the Church rises to our view, which otherwise, as Bernard justly observes, could neither be discovered nor recognized among creatures, being in two respects wonderfully concealed in the bosom of a blessed predestination, and in the mass of a miserable damnation. But before I enter on the subject itself, I must address some preliminary observations to two sorts of persons. The discussion of predestination—a subject of itself rather intricate—is made very perplexed, and therefore dangerous, by human curiosity, which no barriers can restrain from wandering into forbidden labyrinths, and soaring beyond its sphere, as if determined to leave none of the Divine secrets unscrutinized or unexplored. As we see multitudes every where guilty of this arrogance and presumption, and among them some who are not censurable in other respects, it is proper to admonish them of the bounds of their duty on this subject. First, then, let them remember that when they inquire into predestination, they penetrate the inmost recesses of Divine wisdom, where the careless and confident intruder will obtain no satisfaction to his curiosity, but will enter a labyrinth from which he will find no way to depart. For it is unreasonable that man should scrutinize with impunity those things which the Lord has determined to be hidden in himself; and investigate, even from eternity, that sublimity of wisdom which God would have us to adore and not comprehend,

to promote our admiration of his glory. The secrets of his will which he determined to reveal to us, he discovers in his word; and these are all that he foresaw would concern us or conduce to our advantage. . . .

Predestination, by which God adopts some to the hope of life, and adjudges others to eternal death, no one, desirous of the credit of piety, dares absolutely to deny. But it is involved in many cavils, especially by those who make foreknowledge the cause of it. We maintain, that both belong to God; but it is preposterous to represent one as dependent on the other. When we attribute foreknowledge to God, we mean that all things have ever been, and perpetually remain, before his eyes, so that to his knowledge nothing is future or past, but all things are present; and present in such a manner, that he does not merely conceive of them from ideas formed in his mind, as things remembered by us appear present to our minds, but really beholds and sees them as if actually placed before him. And this foreknowledge extends to the whole world, and to all the creatures. Predestination we call the eternal decree of God, by which he has determined in himself, what he would have to become of every individual of mankind. For they are not all created with a similar destiny; but eternal life is foreordained for some, and eternal damnation for others. Every man, therefore, being created for one or the other of these ends, we say, he is predestinated either to life or to death. This God has not only testified in particular persons, but has given a specimen of it in the whole posterity of Abraham, which should evidently show the future condition of every nation to depend upon his decision. . . .

THE TRUE CHURCH AND THE NECESSITY OF OUR UNION WITH HER, BEING THE MOTHER OF ALL THE PIOUS

. . . Here we must regard both the secret election of God, and his internal vocation; because he alone "knoweth them that are his"; and keeps them enclosed under his "seal," to use the expression of Paul; except that they bear his impression, by which they may be distinguished from the reprobate. But because a small and contemptible number is concealed among a vast multitude, and a few grains of wheat are covered with a heap of chaff, we must leave to God alone the knowledge of his Church whose foundation is his secret election. Nor is it sufficient to include in our thoughts and minds the whole multitude of the elect, unless we conceive of such a unity of the Church, into which we know ourselves to be truly ingrafted. For unless we are united with all the other members under Christ our Head, we can have no hope of the future inheritance. Therefore the Church is called *Catholic*, or universal; because there could not be two or three churches, without Christ being divided, which is impossible. But all the elect of God are so connected with each other in Christ,

that as they depend upon one head, so they grow up together as into one body, compacted together like members of the same body; being made truly one, as living by one faith, hope, and charity, through the same Divine Spirit, being called not only to the same inheritance of eternal life, but also to a participation of one God and Christ. Therefore, though the melancholy desolation which surrounds us, seems to proclaim that there is nothing left of the Church, let us remember that the death of Christ is fruitful, and that God wonderfully preserves his Church as it were in hiding-places; according to what he said to Elijah: "I have reserved to myself seven thousand men, who have not bowed the knee to Baal."

This article of the creed, however, relates in some measure to the external Church, that every one of us may maintain a brotherly agreement with all the children of God, may pay due deference to the authority of the Church, and, in a word, may conduct himself as one of the flock. Therefore we add *The Communion of Saints*—a clause which, though generally omitted by the ancients, ought not to be neglected, because it excellently expresses the character of the Church; as though it had been said that the saints are united in the fellowship of Christ on this condition, that whatever benefits God confers upon them, they should mutually communicate to each other. This destroys not the diversity of grace, for we know that the gifts of the Spirit are variously distributed; nor does it disturb the order of civil polity, which secures to every individual the exclusive enjoyment of his property, as it is necessary for the preservation of the peace of society that men should have peculiar and distinct possessions. . . .

Here are three things, therefore, worthy of our observation. First, that whatever holiness may distinguish the children of God, yet such is their condition as long as they inhabit a mortal body, that they cannot stand before God without remission of sins. Secondly, that this benefit belongs to the Church; so that we cannot enjoy it unless we continue in its communion. Thirdly, that it is dispensed to us by the ministers and pastors of the Church, either in the preaching of the gospel, or in the administration of the sacraments; and that this is the principal exercise of the power of the keys, which the Lord has conferred on the society of believers. Let every one of us, therefore, consider it as his duty, not to seek remission of sins any where but where the Lord has placed it. Of public reconciliation, which is a branch of discipline, we shall speak in its proper place. . . .

ON CIVIL GOVERNMENT

Having already stated that man is the subject of two kinds of government, and having sufficiently discussed that which is situated in the soul, or the

inner man, and relates to eternal life,—we are, in this chapter, to say something of the other kind, which relates to civil justice, and the regulation of the external conduct. For, though the nature of this argument seems to have no connection with the spiritual doctrine of faith which I have undertaken to discuss, the sequel will show that I have sufficient reason for connecting them together, and, indeed, that necessity obliges me to it; especially since, on the one hand, infatuated and barbarous men madly endeavour to subvert this ordinance established by God; and, on the other hand, the flatterers of princes, extolling their power beyond all just bounds, hesitate not to oppose it to the authority of God himself. Unless both these errors be resisted, the purity of the faith will be destroyed. Besides, it is of no small importance for us to know what benevolent provision God has made for mankind in this instance, that we may be stimulated by a greater degree of pious zeal to testify our gratitude. In the first place, before we enter on the subject itself, it is necessary for us to recur to the distinction which we have already established, lest we fall into an error very common in the world, and injudiciously confound together these two things, the nature of which is altogether different. For some men when they hear that the gospel promises a liberty which acknowledges no king or magistrate among men, but submits to Christ alone, think they can enjoy no advantage of their liberty, while they see any power exalted above them. They imagine, therefore, that nothing will prosper, unless the whole world be modelled in a new form, without any tribunals, or laws, or magistrates, or any thing of a similar kind, which they consider injurious to their liberty. But he who knows how to distinguish between the body and the soul, between this present transitory life and the future eternal one, will find no difficulty in understanding, that the spiritual kingdom of Christ and civil government are things very different and remote from each other. Since it is a Jewish folly, therefore, to seek and include the kingdom of Christ under the elements of this world, let us, on the contrary, considering what the Scripture clearly inculcates, that the benefit which is received from the grace of Christ is spiritual; let us, I say, remember to confine within its proper limits all this liberty which is promised and offered to us in him. For why is it that the same apostle, who, in one place, exhorts to “stand fast in the liberty wherewith Christ hath made us free, and be not entangled again with the yoke of bondage,” in another, enjoins servants to “care not for” their servile condition; except that spiritual liberty may very well consist with civil servitude? In this sense we are likewise to understand him in these passages: “There is neither Jew nor Greek, there is neither bond nor free, there is neither male nor female.” Again: “There is neither Greek nor Jew, circumcision nor uncircumcision, Barbarian, Scythian, bond nor free: but Christ is all, and in all”; in which he signifies, that it is of

no importance, what is our condition among men, or under the laws of what nation we live, as the kingdom of Christ consists not in these things.

Yet this distinction does not lead us to consider the whole system of civil government as a polluted thing, which has nothing to do with Christian men. Some fanatics, who are pleased with nothing but liberty, or rather licentiousness without any restraint, do indeed boast and vociferate, That since we are dead with Christ to the elements of this world, and, being translated into the kingdom of God, sit among the celestials, it is a degradation to us, and far beneath our dignity, to be occupied with those secular and impure cares which relate to things altogether uninteresting to a Christian man. Of what use, they ask, are laws without judgments and tribunals? But what have judgments to do with a Christian man? And if it be unlawful to kill, of what use are laws and judgments to us? But as we have just suggested that this kind of government is distinct from that spiritual and internal reign of Christ, so it ought to be known that they are in no respect at variance with each other. For that spiritual reign, even now upon earth, commences within us some preludes of the heavenly kingdom, and in this mortal and transitory life affords us some prelibations of immortal and incorruptible blessedness; but this civil government is designed, as long as we live in this world, to cherish and support the external worship of God, to preserve the pure doctrine of religion, to defend the constitution of the Church, to regulate our lives in a manner requisite for the society of men, to form our manners to civil justice, to promote our concord with each other, and to establish general peace and tranquillity; all which I confess to be superfluous, if the kingdom of God, as it now exists in us, extinguishes the present life. But if it is the will of God, that while we are aspiring towards our true country, we be pilgrims on the earth, and if such aids are necessary to our pilgrimage, they who take them from man deprive him of his human nature. They plead that there should be so much perfection in the Church of God, that its order would suffice to supply the place of all laws; but they foolishly imagine a perfection which can never be found in any community of men. For since the insolence of the wicked is so great, and their iniquity so obstinate that it can scarcely be restrained by all the severity of the laws, what may we expect they would do, if they found themselves at liberty to perpetrate crimes with impunity, whose outrages even the arm of power cannot altogether prevent?

But for speaking of the exercise of civil polity, there will be another place more suitable. At present we only wish it to be understood, that to entertain a thought of its extermination, is inhuman barbarism; it is equally as necessary to mankind as bread and water, light and air, and far more excellent. For it not only tends to secure the accommodations arising from all these things, that

men may breathe, eat, drink, and be sustained in life, though it comprehends all these things while it causes them to live together, yet, I say, this is not its only tendency; its objects also are, that idolatry, sacrileges against the name of God, blasphemies against his truth, and other offences against religion, may not openly appear and be disseminated among the people; that the public tranquillity may not be disturbed; that every person may enjoy his property without molestation; that men may transact their business together without fraud or injustice; that integrity and modesty may be cultivated among them; in short, that there may be a public form of religion among Christians, and that humanity may be maintained among men. Nor let any one think it strange that I now refer to human polity the charge of the due maintenance of religion, which I may appear to have placed beyond the jurisdiction of men. For I do not allow men to make laws respecting religion and the worship of God now, any more than I did before; though I approve of civil government, which provides that the true religion which is contained in the law of God, be not violated, and polluted by public blasphemies, with impunity. But the perspicuity of order will assist the readers to attain a clearer understanding of what sentiments ought to be entertained respecting the whole system of civil administration, if we enter on a discussion of each branch of it. These are three: The magistrate, who is the guardian and conservator of the laws: The laws, according to which he governs: The people, who are governed by the laws, and obey the magistrate. Let us, therefore, examine, first, the function of a magistrate, whether it be a legitimate calling and approved by God, the nature of the duty, and the extent of the power; secondly, by what laws Christian government ought to be regulated; and lastly, what advantage the people derive from the laws, and what obedience they owe to the magistrate.

The Lord has not only testified that the function of magistrates has his approbation and acceptance, but has eminently commended it to us, by dignifying it with the most honourable titles. We will mention a few of them. When all who sustain the magistracy are called "gods," it ought not to be considered as an appellation of trivial importance; for it implies, that they have their command from God, that they are invested with his authority, and are altogether his representatives, and act as his vicegerents. This is not an invention of mine, but the interpretation of Christ, who says, "If he called them gods, unto whom the word of God came, and the Scripture cannot be broken." What is the meaning of this, but that their commission has been given to them by God, to serve him in their office, and, as Moses and Jehoshaphat said to the judges whom they appointed, to "judge not for man, but for the Lord?" To the same purpose is the declaration of the wisdom of God by the mouth of Solomon: "By me kings reign, and princes decree justice. By me princes rule,

and nobles, even all the judges of the earth." This is just as if it had been affirmed, that the authority possessed by kings and other governors over all things upon earth is not a consequence of the perverseness of men, but of the providence and holy ordinance of God, who has been pleased to regulate human affairs in this manner; forasmuch as he is present, and also presides among them, in making laws and in executing equitable judgments. This is clearly taught by Paul, when he enumerates governments (*ὁ προϊστάμενος*) among the gifts of God, which being variously distributed according to the diversity of grace, ought to be employed by the servants of Christ to the edification of the Church. For though in that place he is properly speaking of the council of elders, who were appointed in the primitive Church to preside over the regulation of the public discipline, the same office which in writing to the Corinthians he calls *κυβερνήσεις*, "governments," yet, as we see that civil government tends to promote the same object, there is no doubt that he recommends to us every kind of just authority. But he does this in a manner much more explicit, where he enters on a full discussion of that subject. For he says, "There is no power but of God; the powers that be are ordained of God. Rulers are ministers of God, revengers to execute wrath upon him that doeth evil. Do that which is good, and thou shalt have praise of the same." This is corroborated by the examples of holy men; of whom some have been kings, as David, Josiah, Hezekiah; some have been viceroys, as Joseph and Daniel; some have held civil offices in a commonwealth, as Moses, Joshua, and the Judges; whose functions God declared to be approved by him. Wherefore no doubt ought now to be entertained by any person that civil magistracy is a calling not only holy and legitimate, but far the most sacred and honourable in human life. . . .

And for private men, who have no authority to deliberate on the regulation of any public affairs, it would surely be a vain occupation to dispute which would be the best form of government in the place where they live. Besides, this could not be simply determined, as an abstract question, without great impropriety, since the principle to guide the decision must depend on circumstances. And even if we compare the different forms together, without their circumstances, their advantages are so nearly equal, that it will not be easy to discover of which the utility preponderates. The forms of civil government are considered to be of three kinds: Monarchy, which is the dominion of one person, whether called a king, or a duke, or any other title; Aristocracy, or the dominion of the principal persons of a nation; and Democracy, or popular government, in which the power resides in the people at large. It is true that the transition is easy from monarchy to despotism; it is not much more difficult from aristocracy to oligarchy, or the faction of a few; but it is most easy of

all from democracy to sedition. Indeed, if these three forms of government, which are stated by philosophers, be considered in themselves, I shall by no means deny, that either aristocracy, or a mixture of aristocracy and democracy, far excels all others; and that indeed not of itself, but because it very rarely happens that kings regulate themselves so that their will is never at variance with justice and rectitude; or, in the next place, that they are endued with such penetration and prudence, as in all cases to discover what is best. The vice or imperfection of men therefore renders it safer and more tolerable for the government to be in the hands of many, that they may afford each other mutual assistance and admonition, and that if any one arrogate to himself more than is right, the many may act as censors and masters to restrain his ambition. This has always been proved by experience, and the Lord confirmed it by his authority, when he established a government of this kind among the people of Israel, with a view to preserve them in the most desirable condition, till he exhibited in David a type of Christ. And as I readily acknowledge that no kind of government is more happy than this, where liberty is regulated with becoming moderation, and properly established on a durable basis, so also I consider those as the most happy people, who are permitted to enjoy such a condition; and if they exert their strenuous and constant efforts for its preservation and retention, I admit that they act in perfect consistence with their duty. And to this object the magistrates likewise ought to apply their greatest diligence, that they suffer not the liberty, of which they are constituted guardians, to be in any respect diminished, much less to be violated: if they are inactive and unconcerned about this, they are perfidious to their office, and traitors to their country. But if those, to whom the will of God has assigned another form of government, transfer this to themselves so as to be tempted to desire a revolution, the very thought will be not only foolish and useless, but altogether criminal. If we limit not our views to one city, but look round and take a comprehensive survey of the whole world, or at least extend our observations to distant lands, we shall certainly find it to be a wise arrangement of Divine Providence that various countries are governed by different forms of civil polity; for they are admirably held together with a certain inequality, as the elements are combined in very unequal proportions. All these remarks, however, will be unnecessary to those who are satisfied with the will of the Lord. For if it be his pleasure to appoint kings over kingdoms, and senators or other magistrates over free cities, it is our duty to be obedient to any governors whom God has established over the places in which we reside.

Here it is necessary to state in a brief manner the nature of the office of magistracy, as described in the word of God; and wherein it consists. If the Scripture did not teach that this office extends to both tables of the law, we

might learn it from heathen writers; for not one of them has treated of the office of magistrates, of legislation, and civil government, without beginning with religion and Divine worship. And thus they have all confessed that no government can be happily constituted, unless its first object be the promotion of piety and that all laws are preposterous which neglect the claims of God, and merely provide for the interests of men. Therefore, as religion holds the first place among all the philosophers, and as this has always been regarded by the universal consent of all nations, Christian princes and magistrates ought to be ashamed of their indolence, if they do not make it the object of their most serious care. We have already shown that this duty is particularly enjoined upon them by God; for it is reasonable that they should employ their utmost efforts in asserting and defending the honour of him, whose vicegerents they are, and by whose favour they govern. And the principal commendations given in the Scripture to the good kings are for having restored the worship of God when it had been corrupted or abolished, or for having devoted their attention to religion, that it might flourish in purity and safety under their reigns. On the contrary, the sacred history represents it as one of the evils arising from anarchy, or a want of good government, that when "there was no king in Israel, every man did that which was right in his own eyes." These things evince the folly of those who would wish magistrates to neglect all thoughts of God, and to confine themselves entirely to the administration of justice among men; as though God appointed governors in his name to decide secular controversies, and disregarded that which is of far greater importance—the pure worship of himself according to the rule of his law. But a rage for universal innovation, and a desire to escape with impunity, instigate men of turbulent spirits to wish that all the avengers of violated piety were removed out of the world. With respect to the second table, Jeremiah admonishes kings in the following manner: "Execute ye judgment and righteousness, and deliver the spoiled out of the hand of the oppressor; and do not wrong, do not violence to the stranger, the fatherless, nor the widow, neither shed innocent blood." To the same purpose is the exhortation in the eighty-second psalm: "Defend the poor and fatherless: do justice to the afflicted and needy: deliver the poor and needy: rid them out of the hand of the wicked." And Moses "charged the judges" whom he appointed to supply his place, saying, "Hear the causes between your brethren, and judge righteously between every man and his brother, and the stranger that is with him: ye shall not respect persons in judgment; but ye shall hear the small as well as the great; ye shall not be afraid of the face of man; for the judgment is God's." I forbear to remark the directions given by him in another place respecting their future kings: "He shall not multiply horses to himself;

neither shall he greatly multiply to himself silver and gold; his heart shall not be lifted up above his brethren; he shall read in the law all the days of his life"; also that judges show no partiality, nor take bribes, with similar injunctions, which abound in the Scriptures; because, in describing the office of magistrates in this treatise, my design is not so much to instruct magistrates themselves, as to show to others what magistrates are, and for what end God has appointed them. We see, therefore, that they are constituted the protectors and vindicators of the public innocence, modesty, probity, and tranquillity, whose sole object it ought to be to promote the common peace and security of all. Of these virtues, David declares that he will be an example, when he shall be exalted to the royal throne. "I will set no wicked thing before mine eyes. I will not know a wicked person. Whoso privily slandereth his neighbour, him will I cut off: him that hath a high look and a proud heart will I not suffer. Mine eyes shall be upon the faithful of the land, that they may dwell with me: he that walketh in a perfect way, he shall serve me." But as they cannot do this, unless they defend good men from the injuries of the wicked, and aid the oppressed by their relief and protection, they are likewise armed with power for the suppression of crimes, and the severe punishment of malefactors, whose wickedness disturbs the public peace. For experience fully verifies the observation of Solon: "That all states are supported by reward and punishment; and that when these two things are removed, all the discipline of human societies is broken and destroyed." For the minds of many lose their regard for equity and justice, unless virtue be rewarded with due honour; nor can the violence of the wicked be restrained, unless crimes are followed by severe punishments. And these two parts are included in the injunction of the prophet to kings and other governors, to "execute judgment and righteousness." *Righteousness* means the care, patronage, defence, vindication, and liberation of the innocent: *judgment* imports the repression of the audacity, the coercion of the violence, and the punishment of the crimes, of the impious.

But here, it seems, arises an important and difficult question. If by the law of God all Christians are forbidden to kill, and the prophet predicts respecting the Church, that "they shall not hurt nor destroy in all my holy mountain, saith the Lord," how can it be compatible with piety for magistrates to shed blood? But if we understand, that in the infliction of punishments, the magistrate does not act at all from himself, but merely executes the judgments of God, we shall not be embarrassed with his scruple. The law of the Lord commands, "Thou shalt not kill"; but that homicide may not go unpunished, the legislator himself puts the sword into the hands of his ministers, to be used against all homicides. *To hurt* and *to destroy* are incompatible with the character of the godly; but to avenge the afflictions

of the righteous at the command of God, is neither *to hurt* nor *to destroy*. Therefore it is easy to conclude that in this respect magistrates are not subject to the common law; by which, though the Lord binds the hands of men, he does not bind his own justice, which he exercises by the hands of magistrates. So, when a prince forbids all his subjects to strike or wound any one, he does not prohibit his officers from executing that justice which is particularly committed to them. I sincerely wish that this consideration were constantly in our recollection, that nothing is done here by the temerity of men, but every thing by the authority of God, who commands it, and under whose guidance we never err from the right way. For we can find no valid objection to the infliction of public vengeance, unless the justice of God be restrained from the punishment of crimes. But if it be unlawful for us to impose restraints upon him, why do we calumniate his ministers? Paul says of the magistrate, that "He beareth not the sword in vain; for he is the minister of God, a revenger to execute wrath upon him that doeth evil." Therefore, if princes and other governors know that nothing will be more acceptable to God than their obedience, and if they desire to approve their piety, justice, and integrity before God, let them devote themselves to this duty. This motive influenced Moses, when, knowing himself to be destined to become the liberator of his people by the power of the Lord, "he slew the Egyptian"; and when he punished the idolatry of the people by the slaughter of three thousand men in one day. The same motive actuated David, when, at the close of his life, he commanded his son Solomon to put to death Joab and Shimei. Hence, also it is enumerated among the virtues of a king, to "destroy all the wicked of the land, that he may cut off all wicked doers from the city of the Lord." The same topic furnishes the eulogium given to Solomon: "Thou lovest righteousness, and hatest wickedness. . . ." There ought not, however, to be any excessive or unreasonable severity, nor ought any cause to be given for considering the tribunal as a gibbet prepared for all who are accused. For I am not an advocate for unnecessary cruelty, nor can I conceive the possibility of an equitable sentence being pronounced without mercy; of which Solomon affirms, that "mercy and truth preserve the king; and his throne is upholden by mercy." Yet it behoves the magistrate to be on his guard against both these errors; that he do not, by excessive severity, wound rather than heal; or, through a superstitious affectation of clemency, fall into a mistaken humanity, which is the worst kind of cruelty, by indulging a weak and ill-judged lenity, to the detriment of multitudes. For it is a remark not without foundation, that was anciently applied to the government of Nerva, that it is bad to live under a prince who permits nothing, but much worse to live under one who permits every thing. . . .

It now remains for us, as we proposed, in the last place, to examine what advantage the common society of Christians derives from laws, judgments, and magistrates; with which is connected another question—what honour private persons ought to render to magistrates, and how far their obedience ought to extend. . . .

The first duty of subjects towards their magistrates is to entertain the most honourable sentiments of their function, which they know to be a jurisdiction delegated to them from God, and on that account to esteem and reverence them as God's ministers and vicegerents. For there are some persons to be found, who show themselves very obedient to their magistrates, and have not the least wish that there were no magistrates for them to obey, because they know them to be so necessary to the public good; but who, nevertheless, consider the magistrates themselves as no other than necessary evils. But something more than this is required of us by Peter, when he commands us to "honour the king"; and by Solomon, when he says, "Fear thou the Lord and the king"; for Peter, under the term *honour*, comprehends a sincere and candid esteem; and Solomon, by connecting the king with the Lord, attributes to him a kind of sacred veneration and dignity. . . .

But the most remarkable and memorable passage of all is in the Prophecy of Jeremiah, which, though it is rather long, I shall readily quote, because it most clearly decides the whole question: "I have made the earth, the man and the beast that are upon the ground, by my great power and by my outstretched arm, and have given it unto whom it seemed meet unto me. And now I have given all these lands into the hand of Nebuchadnezzar, the king of Babylon, my servant. And all nations shall serve him, and his son, and his son's son, until the very time of his land come. And it shall come to pass, that the nation and kingdom which will not serve the same king of Babylon, that nation will I punish with the sword, and with the famine, and with the pestilence. Therefore serve the king of Babylon and live." We see what great obedience and honour the Lord required to be rendered to that pestilent and cruel tyrant, for no other reason than because he possessed the kingdom; and it was by the heavenly decree that he was seated on the throne of the kingdom, and exalted to that regal majesty, which it was not lawful to violate. If we have this constantly present to our eyes and impressed upon our hearts, that the most iniquitous kings are placed on their thrones by the same decree by which the authority of all kings is established, those seditious thoughts will never enter our minds, that a king is to be treated according to his merits, and that it is not reasonable for us to be subject to a king who does not on his part perform towards us those duties which his office requires. . . .

But in the obedience which we have shown to be due to the authority of governors, it is always necessary to make one exception, and that is entitled to our first attention,—that it do not seduce us from obedience to him, to whose will the desires of all kings ought to be subject, to whose decrees all their commands ought to yield, to whose majesty all their sceptres ought to submit. And, indeed, how preposterous it would be for us, with a view to satisfy men, to incur the displeasure of him on whose account we yield obedience to men! The Lord, therefore, is the King of kings; who, when he has opened his sacred mouth, is to be heard alone, above all, for all, and before all; in the next place, we are subject to those men who preside over us; but no otherwise than in him. If they command any thing against him, it ought not to have the least attention; nor, in this case, ought we to pay any regard to all that dignity attached to magistrates; to which no injury is done when it is subjected to the unrivalled and supreme power of God. On this principle Daniel denied that he had committed any crime against the king in disobeying his impious decree; because the king had exceeded the limits of his office, and had not only done an injury to men, but, by raising his arm against God, had degraded his own authority. On the other hand, the Israelites are condemned for having been too submissive to the impious edict of their king. For when Jeroboam had made his golden calves, in compliance with his will, they deserted the temple of God and revolted to new superstitions. Their posterity conformed to the decrees of their idolatrous kings with the same facility. The prophet severely condemns them for having “willingly walked after the commandment”: so far is any praise from being due to the pretext of humility, with which courtly flatterers excuse themselves and deceive the unwary, when they deny that it is lawful for them to refuse compliance with any command of their kings; as if God had resigned his right to mortal men when he made them rulers of mankind; or as if earthly power were diminished by being subordinated to its author, before whom even the principalities of heaven tremble with awe. I know what great and present danger awaits this constancy, for kings cannot bear to be disregarded without the greatest indignation; and “the wrath of a king,” says Solomon, “is as messengers of death.” But since this edict has been proclaimed by that celestial herald, Peter, “We ought to obey God rather than men,”—let us console ourselves with this thought, that we truly perform the obedience which God requires of us, when we suffer any thing rather than deviate from piety. And that our hearts may not fail us, Paul stimulates us with another consideration—that Christ has redeemed us at the immense price which our redemption cost him, that we may not be submissive to the corrupt desires of men, much less be slaves to their impiety.

SEBASTIAN CASTELLIO

THE TURBULENT age of the Protestant Reformation was fraught with theological controversy, fanaticism, religious war, and persecution. No less than the medieval Church, the sects of established Protestantism sought to discover and crush heresy within their ranks. Protestant persecution reached its apex under Calvin at Geneva. His fierce zeal was instrumental, for instance, in the banishment of Jerome Bolsec for criticism of the doctrine of predestination and in the burning of Michael Servetus for rejection of infant baptism and the doctrine of the Trinity. Meanwhile the Church of Rome was successfully fighting heretics who had appeared with the spread of the Reformation influence to Italy. Chief among these heretics were anti-Trinitarians, who fled to Switzerland only to flee in turn from Calvin to Poland and Transylvania. Among their followers were the Socinians, forerunners of modern Unitarianism, named after Fausto Sozzini (Socinus). They and the Anabaptists, almost alone among religious sects in the sixteenth century, preserved some degree of religious toleration.

It was in this framework of strife that the earliest modern works in behalf of liberty of conscience and toleration were written. In 1554 there appeared anonymously in Latin a work called *Concerning Heretics*, the bulk of which is generally attributed to Sebastian Castellio (1515-63). It was published in protest against the execution of Servetus the year before, and among other things it undertook, by judicious quotation both from early church writers and from sixteenth-century contemporaries, to find authoritative sanction for greater leniency to those deemed heretics. Castellio was a Frenchman, a native of Savoy. He early became a humanist scholar and, like other humanists, also a scholar of the Bible. In flight from the Inquisition, he became friends with Calvin, who made him principal of the College of Geneva. But he soon came into disfavor with Calvin as a result of his studies, in one of which he took the position that the Song of Solomon was an ancient love poem ill-adapted to its traditional interpretation as revealing the relation between Christ and the Church. Calvin prevented his ordination as a minister, and Castellio went to Basel, living for years in great poverty. Supporting his family by odd jobs, he nevertheless during this period translated the Bible into both Latin and French and was subsequently made Professor of Greek at the University of Basel. He died on the verge of a trial for his own heresies.

The influence of *Concerning Heretics* was far-reaching, causing great concern to Calvin and his followers. Within a few years it was felt, in one way or another, by religious authorities in Germany, England, Scotland, and especially Holland. Clear, pointed, and eloquent, Castellio's defense of the free conscience remains one of the great utterances on the subject. The following selections are from *Concerning Heretics* and two other works. The translation of the Bible into French was published in 1555; the *Counsel to France*, published in French in 1562 under the pseudonym "Martin Bellius," exhorts Catholics and Huguenots to end their civil strife. All are taken from Roland H. Bainton's translation and edition of Castellio

in the "Records of Civilization Series" (New York, Columbia University Press, 1935).



PREFACE TO THE FRENCH TRANSLATION OF THE BIBLE

TO THE MOST VALIANT AND VICTORIOUS Prince Henry of Valois, the second of that name, by the grace of God most Christian King of France from Sebastian Castellio, his subject, greeting.

When night falls upon the battle field the combatants wait for the day lest by chance friends be killed instead of enemies, for it is better to spare one's enemies than to kill some of one's friends. Likewise also in the day time, when the hand to hand combat begins the artillery ceases for fear of the aforesaid mischance. Here I should like to point a moral if your Majesty will deign to listen. The world today is embroiled in great disturbance principally touching the question of religion. There never were so many calamities and evils, from which we may well perceive the night of ignorance. If not all are enveloped, at least many are. If it were day there would never be such diverse and even contrary judgments about the same color. Or if it is day, at least the good and the evil are so confused in the matter of religion that if one wishes to disentangle those who are at variance as to the truth there is danger lest the wheat be rooted out with the tares. That would be an irreparable loss. Hitherto the world has always made this mistake. The prophets, the apostles, so many thousands of martyrs, and even the Son of God were put to death under color of religion. An account must be given for all this blood by those who have been striking at random in the night of ignorance. . . . Believe me, your Majesty, the world today is neither better nor wiser nor more enlightened than formerly. It were better, therefore, in view of so much doubt and confusion to wait before shooting until the dawn, or until things are better disentangled, lest in the darkness and confusion we do that of which afterwards we shall have to say, "I did not intend to."

COUNSEL TO FRANCE IN HER DISTRESS

To the Catholics. And first I address you, Catholics, you who say that you have the ancient true and Catholic faith and religion, consider closely your case for a moment. It is high time that you did. Recall how you have treated

the Evangelicals. You have pursued and imprisoned them and left them to be consumed of lice and rot in foul dungeons in hideous darkness and the shadow of death, and then you have roasted them alive at a slow fire to prolong their torture. And for what crime? Because they did not believe in the pope, the mass, purgatory, and other things, which are so far from being based on Scripture that even the very names are not to be found there. Is that a good and just cause for burning men alive? Do you call yourselves Catholics and profess to maintain the Catholic faith contained in the sacred Scriptures and yet hold as heretics and burn alive those who wish to believe only that which is contained in the Scriptures? Wait now and weigh this carefully. Here is a point of great importance. Answer now, for you will have to answer some day, whether you like it or not, before the just Judge whose name you bear. Answer this one question which undoubtedly will be asked of you at the judgment day. Would you wish that this be done unto you? . . . You well know whether the wrong you have done to your brothers is small. It is so small indeed that they have preferred to endure all that your cruelty (I must call it by its proper name) could invent than to go counter to their conscience as you require, and this is a sign that to force the conscience of a man is worse than cruelly to take his life. . . .

To the Evangelicals. I turn now to you, Evangelicals. Formerly you suffered persecution for the Evangel with patience. You loved your enemies and returned good for evil. You blessed those that cursed you, and offered no resistance save flight in case of necessity, and this you did in accord with the command of the Lord. How does it happen that some of you are now so changed? . . . Has the Lord changed His commandment? . . . and ordered you to return evil for evil? Or have you turned your backs on His commandment? . . . What else can one infer when you convert all resources even to the substance of the poor into battle axes, and massacre your enemies at the edge of the sword until roads and byways, yes, houses and temples, are stained with the blood of those for whom Christ died as much as for you, and who are baptized in His name as are you? What more can I say than that you compel them to attend your sermons, and you even force brothers to take arms against brothers and those of their own religion contrary to conscience? You examine men as to your doctrine and are not content that they should agree on the main points of religion, which are clear and evident in sacred Scripture. . . . Here are the three remedies which you employ: to shed blood, to force consciences, and to condemn as infidels those who do not agree with your doctrine. I am at a loss to discover what has become of your intelligence if you do not see that in these three points you follow your enemies, those whom you commonly call Antichrist. I know well that some of you reply, "We are right

and they are wrong." . . . But rationalize as much as you please before men and draw as many fine distinctions as you please, nevertheless we know well, and I call your own consciences to witness, that you are doing to others what you would not have done unto you. . . .

To both the Catholics and the Evangelicals. When Jesus disputed with the Jews, though they were highly opinionated, he was sometimes able to reduce them to silence with a single word. . . . The world is not more obstinate today. I am sure, therefore, that this case can be settled by a single word of evident truth and none will be able to gainsay it. We need only ask those who force consciences, "Would you like to have yours forced?" and immediately their own conscience, which is worth more than a thousand witnesses, will convict and make them dumb. . . . And do not begin to excuse yourselves and say as someone once did, "If I were an adulterer I should not wish to be punished, but it does not follow that if I were the judge I should not punish an adulterer." To which I reply, "If you were an adulterer and you were punished, you would admit that you had been done no injustice. So, also, a thief when punished confesses that he deserves it, or if his mouth denies it, his conscience, whether he will or no, confesses and gives him the lie." Here we see the invincible force of truth and rectitude which cannot be extinguished in the heart of a man, no matter how bad he is. The case of one whose conscience is forced and who is persecuted for the faith is precisely the reverse. Though he may be constrained to confess with his mouth that no wrong is done, yet in his heart he will always say, "You have done me an injustice, and you would not have wished the like done to you." See how we ought to understand this rule, "Do not unto others what you would not that they do unto you." This is a rule, so true, so just, so natural, and so written by the finger of God in the hearts of all men that there is no one so degenerate, so estranged from discipline and enlightenment, but that he will confess this rule to be right and reasonable the moment it is proposed to him. Hence we can easily see that when the Truth judges us it will be in accord with this rule. And in fact Christ, who is the Truth, has confirmed it when He not only forbade us to do to others what we would not have done unto us, but, even more, commanded that we should do unto others as we would that they do unto us. . . .

Take the case of a man who has scruples against going to Mass or hearing a minister whom he considers a heretic or supporting by money and arms a church which he regards as heretical against one which he holds as Catholic, and you tell him that if he does not comply he will be banished, or disinherited or miserably put to death. What do you want him to do? Advise him, for he is in extreme anguish like a piece of bread roasted on the end of a knife. If it moves forward it is burned and if backward it is pierced. So the poor man,

if he does what you desire he will be damned for going against his conscience; if he withstands you he will lose goods and life. . . . I ask you, you Inquisitors . . . you who egg on princes . . . what advice would you give to such a man? Would you counsel him to go against his conscience? Then he will lose his soul. Or would you advise him to follow his conscience? Then he will be put to death. . . . If a sick man does not wish to eat meat, will you ram it down his throat, or if a donkey will not drink, will you drown him to make him drink?

CONCERNING HERETICS

MARTIN BELLIIUS to Duke Christoph of Württemberg, Greeting. Most Illustrious Prince, suppose you had told your subjects that you would come to them at some uncertain time and had commanded them to make ready to go forth clad in white garments to meet you whenever you might appear. What would you do if, on your return, you discovered that they had taken no thought for the white robes but instead were disputing among themselves concerning your person? Some were saying that you were in France, others that you were in Spain; some that you would come on a horse, others in a chariot; some were asserting that you would appear with a great equipage, others that you would be unattended. Would this please you?

Suppose further that the controversy was being conducted not merely by words but by blows and swords, and that one group wounded and killed the others who did not agree with them. "He will come on a horse," one would say.

"No, in a chariot," another would retort.

"You lie."

"You're the liar. Take that." He punches him.

"And take that in the belly." The other stabs.

Would you, O Prince, commend such citizens? Suppose, however, that some did their duty and followed your command to prepare the white robes, but the others oppressed them on that account and put them to death. Would you not rigorously destroy such scoundrels?

But what if these homicides claimed to have done all this in your name and in accord with your command, even though you had previously expressly forbidden it? Would you not consider that such outrageous conduct deserved to be punished without mercy? Now I beg you, most Illustrious Prince, to be kind enough to hear why I say these things.

Christ is the Prince of this world who on His departure from the earth foretold to men that He would return some day at an uncertain hour, and He com-

manded them to prepare white robes for His coming, that is to say, that they should live together in a Christian manner, amicably, without controversy and contention, loving one another. But consider now, I beg you, how well we discharge our duty.

How many are there who show the slightest concern to prepare the white robe? Who is there who bends every effort to live in this world in a saintly, just, and religious manner in the expectation of the coming of the Lord? For nothing is there so little concern. The true fear of God and charity are fallen and grown cold. Our life is spent in contention and in every manner of sin. We dispute, not as to the way by which we may come to Christ, which is to correct our lives, but rather as to the state and office of Christ, where He now is and what He is doing, how He is seated at the right hand of the Father, and how He is one with the Father; likewise with regard to the Trinity, predestination, free will; so, also, of God, the angels, the state and souls after this life and other like things, which do not need to be known for salvation by faith (for the publicans and sinners were saved without this knowledge), nor indeed can they be known before the heart is pure (for to see these things is to see God Himself, who cannot be seen save by the pure in heart, as the text says, "Blessed are the pure in heart for they shall see God"). Nor if these are known do they make a man better, as Paul says, "Though I understand all mysteries and have not love it profiteth me nothing." This perverse curiosity engenders worse evils. Men are puffed up with knowledge or with a false opinion of knowledge and look down upon others. Pride is followed by cruelty and persecution so that now scarcely anyone is able to endure another who differs at all from him. Although opinions are almost as numerous as men, nevertheless there is hardly any sect which does not condemn all others and desire to reign alone. Hence arise banishments, chains, imprisonments, stakes, and gallows and this miserable rage to visit daily penalties upon those who differ from the mighty about matters hitherto unknown, for so many centuries disputed, and not yet cleared up.

If, however, there is someone who strives to prepare the white robe, that is, to live justly and innocently, then all others with one accord cry out against him if he differ from them in anything, and they confidently pronounce him a heretic on the ground that he seeks to be justified by works. Horrible crimes of which he never dreamed are attributed to him and the common people are prejudiced by slander until they consider it a crime merely to hear him speak. Hence arises such cruel rage that some are so incensed by calumny as to be infuriated when the victim is first strangled instead of being burned alive at a slow fire. . . .

Sins of the heart, such as infidelity, heresy, envy, hate, etc., are to be punished

by the sword of the Spirit which is the Word of God. If anyone disturbs the commonwealth by an assault under color of religion, the magistrate may punish such an one not on the score of religion, but because he has done damage to bodies and goods, like any other criminal. If anyone conducts himself amiss in the Church, both in his life and in his doctrine, the Church should use the spiritual sword, which is excommunication, if he will not be admonished. Then, if after excommunication, he perseveres in his evil design to the point of disturbing the peace, the Christian magistrate may see to it that he no longer trouble the Church with his heresies and blasphemies which are plainly contrary to the Word of God. Of such a character is the teaching of those who deny the creation of the world, the immortality of souls and the resurrection, as well as of those who repudiate the office of the magistrate in order that they may the better disturb the state to their hearts' content without reproof. These men thrive on disturbance, to which the Spirit of God is utterly alien. If they continue to disobey princes and magistrates, they may be punished, but not with the death penalty, as St. Augustine teaches, especially in the case of those who admit one true God, the source of all good, but err obstinately in the understanding of some passages of Scripture. The good magistrate will content himself with punishing them by a fine or some similar penalty. Then, if they continue, he may banish them from the land. This is the extreme penalty. If they come back they may be imprisoned if they do not amend. This . . . is the way in which emperors and magistrates punished the heretics in the early Church, as you may read in the present book, which is both useful and necessary in these last days in which not only those who have never properly known the truth, but even those who glory in it, nevertheless thirst for the blood of any who contradict them and try to stop bloodshed for the sake of religion. Hereby the persecutors show how far they are from the clemency of Christ and His apostles, from the mercy of the doctors of the primitive Church who begged the princes and magistrates not to kill and burn the heretics, as you may read in this book. Follow St. Augustine, Chrysostom, and Jerome and the other doctors so long as they follow Scripture, as Augustine himself advises us to do, and, on the contrary, avoid those who urge that we kill and burn any for the faith. Certainly they are of the nature of the devil and of Antichrist, who desire the death of poor souls, whereas true Christians desire that sinners and adversaries of the truth turn and live. Beware of false doctors and the writings of those who cannot suffer the assertion that heretics should not be killed lest their souls be destroyed. These doctors make simple people believe that those who object to coercion do so in order the more readily to disseminate their poison. But the same may be said of these doctors. That is just what they have done. May the Lord cause them to recognize their blindness and ill will.

THE THIRTY-NINE ARTICLES

THE CLAMOR of religious malcontents in sixteenth-century England was less for doctrinal modifications than for reformation of the abuses of the Roman Catholic Church. The stage was set for this reformation by the establishment of an independent national church, under the authority of the monarch, as a substitute for the principle of papal universalism. With characteristic insistence upon the importance of precedent, the statute of Henry VIII that proclaimed the national Church (1532-33) asserted this to be an affirmation of an older state of religious affairs, on the authority of "sundrie olde authentike histories and cronicles." Indeed such a claim was justified by the earlier history of the Church, for the primacy of the bishop of Rome was a relatively late accretion to the pattern of Christian organization. It was even later that papal authority was successfully extended to such remote corners of Christendom as the British Isles, and it might perhaps be said that some of the British clergy were never reconciled to what they regarded as papal usurpation.

Soon after the English Church had withdrawn itself from papal supremacy the need was felt for a formulation of its policy that would incorporate the revived principle of national independence. In 1537, therefore, a first attempt at such a formulation, *The Institution of a Christian Man*, included national independence of "particular churches" as "portions or members of this Catholic and Universal Church"; denied the supremacy of "the said Church of Rome, or . . . the minister or bishop of the same"; announced its detestation of "all heresies and schisms whereby the true interpretation and sense of Scripture is or may be perverted"; and, finally, promised to remain "in the right profession of faith and doctrine of the Catholic Church." In its inception the English Church thought revised discipline could be achieved without modified doctrines. Another similar attempt was made in 1543 under the title *Necessary Doctrine for Any Christian Man*.

Even this early in the story, the tale was not so simple. There were those like Stephen Gardiner, bishop of Winchester, who considered the English reformation complete when papal authority was rejected. Others, like Archbishop Thomas Cranmer, were determined to crown the work of reformation by extending it to doctrine and morality. Still a third party, far more revolutionary in character, usually referred to as Anabaptists, advocated the virtual elimination of clericalism and ecclesiasticism and professed a piety akin to that of evangelical Christianity. In some measure the Anabaptists appear as successors to the Lollards, although in most respects their views resemble closely the extreme parties of the Continental reformation. It was to quiet the "strife of tongues" to which this partisan conflict led that there was promulgated the earliest code of doctrine of the English Church, ten "Articles . . . to stablyshe christen quietnes and unitie amonge us, and to avoyde contentious opinions (1536)." In these early articles there is already an indication that the way of reform in England was to be that of mutual concession and compromise among the less radical parties.

After the death of Henry VIII and the accession of Edward VI, the most con-

servative of the Church parties, that led by Stephen Gardiner, lost all royal favor. It was Cranmer, whose sympathies were with the Lutheran reformers, who became the dominant influence on the Forty-two Articles of 1553, "Articles . . . for the avoiding of controversy in opinions, and the establishment of a godly concord in certain matters of religion." In many of these articles it is clear that they are directed chiefly against positions that had been held by some Anabaptists.

Edward died in 1553 and was succeeded by Queen Mary, during whose brief reign a formal reconciliation with Rome took place. The Forty-two Articles were never expressly revoked, but they presumably came under the general condemnation of works containing "heretical, erroneous, or slanderous doctrine." When Elizabeth I came to the throne in 1558, she approached the religious problem that had been bequeathed to her by her predecessors as a problem in statecraft, to be resolved calmly and calculatingly by restraining every form of partisanship and thus assuring the control of church policy by such men of sobriety and moderation as Matthew Parker, archbishop of Canterbury. By this method Elizabeth hoped to avoid internal dissensions in her realm and to convert religion into an instrument of state policy.

It was under such auspices that the Thirty-nine Articles printed below were drafted in 1563 and subscription to them made mandatory by act of Parliament in 1571. The articles are still Lutheran in tone, despite the growing Puritan (Calvinistic) strength in England. Although they are closely related in both text and spirit to the Edwardian Forty-two Articles, many changes distinguish the two statements of doctrine. The Elizabethan articles thus bear witness to the development, however slow, of reformation in England. Officially, at least, these articles mark the limit of that development, for subscription to them is still mandatory for everyone who wishes to take orders in the Church of England today.

Simultaneous English and Latin versions of the Thirty-nine Articles were written in 1563. Reprinted here is the version, modernized as to punctuation and spelling, that appears in *Cathedral Prayer Book* (Novello, Ewer and Co., London 1891).



THIRTY-NINE ARTICLES AGREED UPON BY
THE ARCHBISHOPS AND BISHOPS OF BOTH
PROVINCES, AND THE WHOLE CLERGY,

*In the Convocation holden at London in the year 1562, for the avoiding
of Diversities of Opinions, and for the establishing of Consent touch-
ing true Religion: Reprinted by His Majesty's Commandment, with
His Royal Declaration prefixed thereunto.*

HIS MAJESTY'S DECLARATION

BEING by God's Ordinance, according to Our just Title, *Defender of the
Faith, and Supreme Governour of the Church, within these our Dominions,*

We hold it most agreeable to this our Kingly Office, and Our own religious Zeal, to conserve and maintain the Church committed to Our Charge, in the Unity of true Religion, and in the Bond of Peace; and not to suffer unnecessary Disputations, Altercations, or Questions to be raised, which may nourish Faction both in the Church and Commonwealth. We have therefore, upon mature Deliberation, and with the Advice of so many of our Bishops as might conveniently be called together, thought fit to make this Declaration following:

That the Articles of the Church of *England* (which have been allowed and authorized heretofore, and which Our Clergy generally have subscribed unto) do contain the true Doctrine of the Church of *England* agreeable to God's Word: which We do therefore ratify and confirm, requiring of all Our loving Subjects to continue in the uniform profession thereof, and prohibiting the least difference from the said Articles; which to that End We command to be new printed and this Our Declaration to be published therewith.

That We are Supreme Governour of the Church of *England*: And that if any difference arise about the external Policy, concerning the *Injunctions*, *Canons*, and other *Constitutions* whatsoever thereto belonging, the Clergy in their Convocation is to order and settle them, having first obtained leave under our Broad Seal so to do: and We approving their said Ordinance and Constitutions; providing that none be made contrary to the Laws and Customs of the Land.

That out of our Princely Care that the Churchmen may do the Work which is proper unto them, the Bishops and Clergy, from time to time in Convocation, upon their humble Desire, shall have Licence under Our Broad Seal, to deliberate of, and to do all such Things, as, being made plain by them, and assented unto by Us, shall concern the settled Continuance of the Doctrine and Discipline of the Church of *England* now established; from which We will not endure any varying or departing in the least Degree.

That for the present, though some differences have been ill raised, yet We take comfort in this, that all Clergymen within Our Realm have always most willingly subscribed to the Articles established; which is an argument to Us, that they all agree in the true, usual, literal meaning of the said Articles; and that even in those curious points, in which the present differences lie, men of all sorts take the Articles of the Church of *England* to be for them; which is an argument again, that none of them intend any desertion of the Articles established.

That therefore in these both curious and unhappy differences, which have

for so many hundred years, in different times and places, exercised the Church of Christ, We will, that all further curious search be laid aside, and these disputes shut up in God's promises, as they be generally set forth to us in the holy Scriptures, and the general meaning of the Articles of the Church of *England* according to them. And that no man hereafter shall either print, or preach, to draw the Article aside any way, but shall submit to it in the plain and full meaning thereof: and shall not put his own sense or comment to be the meaning of the Article, but shall take it in the literal and grammatical sense.

That if any publick Reader in either of Our Universities, or any Head or Master of a College, or any other person respectively in either of them, shall affix any new sense to any Article, or shall publicly read, determine, or hold any publick Disputation, or suffer any such to be held either way, in either the Universities or Colleges respectively; or, if any Divine in the Universities shall preach or print any thing either way, other than is already established in Convocation with our Royal Assent; he, or they the Offenders, shall be liable to Our displeasure, and the Church's censure in our Commission Ecclesiastical, as well as any other: And We will see there shall be due Execution upon them.

ARTICLES OF RELIGION

I. Of Faith in the Holy Trinity

There is but one living and true God, everlasting, without body, parts, or passions; of infinite power, wisdom, and goodness; the Maker, and Preserver of all things both visible and invisible. And in unity of this Godhead there be three Persons, of one substance, power, and eternity; the Father, the Son, and the Holy Ghost.

II. Of the Word or Son of God, Which Was Made Very Man

The Son, which is the Word of the Father, begotten from everlasting of the Father, the very and eternal God, and of one substance with the Father, took Man's nature in the womb of the blessed Virgin, of her substance: so that two whole and perfect Natures, that is to say, the Godhead and Manhood, were joined together in one Person, never to be divided, whereof is one Christ, very God, and very Man; who truly suffered, was crucified, dead and buried, to reconcile his Father to us, and to be a sacrifice, not only for original guilt, but also for all actual sins of men.

III. Of the Going Down of Christ into Hell

As Christ died for us, and was buried, so also is it to be believed, that he went down into Hell.

IV. Of the Resurrection of Christ

Christ did truly rise again from death, and took again his body, with flesh, bones, and all things appertaining to the perfection of man's nature; wherewith he ascended into Heaven, and there sitteth, until he return to judge all Men at the last day.

V. Of the Holy Ghost

The Holy Ghost, proceeding from the Father and the Son, is of one substance, majesty, and glory, with the Father and the Son, very and eternal God.

VI. Of the Sufficiency of the Holy Scriptures for Salvation

Holy Scripture containeth all things necessary to salvation: so that whatsoever is not read therein, nor may be proved thereby, is not to be required of any man, that it should be believed as an article of the Faith, or be thought requisite or necessary to salvation. In the name of the holy Scripture we do understand those Canonical Books of the Old and New Testament, of whose authority was never any doubt in the Church. . . .

And the other Books (as *Hierome* saith) the Church doth read for example of life and instruction of manners; but yet doth it not apply them to establish any doctrine. . . .

All the Books of the New Testament, as they are commonly received, we do receive, and account them Canonical.

VII. Of the Old Testament

The Old Testament is not contrary to the New; or both in the Old and New Testament everlasting life is offered to Mankind by Christ, who is the only Mediator between God and Man, being both God and Man. Wherefore they are not to be heard, which feign that the old Fathers did look only for transitory promises. Although the Law given from God by Moses, as touching Ceremonies and Rites, do not bind Christian men, nor the Civil precepts thereof ought of necessity to be received in any commonwealth; yet notwithstanding, no Christian man whatsoever is free from the obedience to the Commandments which are called Moral.

VIII. *Of the Three Creeds*

The Three Creeds, *Nicene Creed*, *Athanasius's Creed*, and that which is commonly called the *Apostles' Creed*, ought thoroughly to be received and believed: for they may be proved by most certain warrants of holy Scripture.

IX. *Of Original or Birth-Sin*

Original Sin standeth not in the following of *Adam* (as the *Pelagians* do vainly talk), but it is the fault and corruption of the Nature of every man, that naturally is engendered of the offspring of *Adam*; whereby man is very far gone from original righteousness, and is of his own nature inclined to evil, so that the flesh lusteth always contrary to the spirit; and therefore in every person born into this world, it deserveth God's wrath and damnation. And this infection of nature doth remain, yea in them that are regenerated; whereby the lust of the flesh . . . is not subject to the Law of God. And although there is no condemnation for them that believe and are baptized, yet the Apostle doth confess, that concupiscence and lust hath of itself the nature of sin.

X. *Of Free-Will*

The condition of Man after the fall of *Adam* is such, that he cannot turn and prepare himself, by his own natural strength and good works, to faith, and calling upon God: Wherefore we have no power to do good works pleasant and acceptable to God, without the grace of God by Christ preventing us, that we may have a good will, and working with us, when we have that good will.

XI. *Of the Justification of Man*

We are accounted righteous before God, only for the merit of our Lord and Saviour Jesus Christ by Faith, and not for our own works or deservings: Wherefore, that we are justified by Faith only is a most wholesome doctrine, and very full of comfort, as more largely is expressed in the Homily of Justification.

XII. *Of Good Works*

Albeit that Good Works, which are the fruits of Faith, and follow after Justification, cannot put away our sins, and endure the severity of God's Judgment; yet are they pleasing and acceptable to God in Christ, and do spring out necessarily of a true and lively faith; insomuch that by them a lively Faith may be as evidently known as a tree discerned by the fruit.

XIII. *Of Works before Justification*

Works done before the grace of Christ, and the Inspiration of his Spirit, are not pleasant to God, forasmuch as they spring not of faith in Jesus Christ, neither do they make men meet to receive grace, or (as the School-authors say) deserve grace of congruity: yea rather, for that they are not done as God hath willed and commanded them to be done, we doubt not but they have the nature of sin.

XIV. *Of Works of Supererogation*

Voluntary Works besides, over and above, God's Commandments, which they call Works of Supererogation, cannot be taught without arrogancy and impiety: for by them men do declare, that they do not only render unto God as much as they are bound to do, but that they do more for his sake, than of bounden duty is required: whereas Christ saith plainly, When ye have done all that are commanded to you, say, We are unprofitable servants.

XV. *Of Christ Alone without Sin*

Christ in the truth of our nature was made like unto us in all things, sin only except, from which he was clearly void, both in his flesh, and in his spirit. He came to be the Lamb without spot, who, by sacrifice of himself once made, should take away the sins of the world, and sin, as Saint *John* saith, was not in him. But all we, the rest, although baptized, and born again in Christ, yet offend in many things; and if we say we have no sin, we deceive ourselves, and the truth is not in us.

XVI. *Of Sin after Baptism*

Not every deadly sin willingly committed after Baptism is sin against the Holy Ghost and unpardonable. Wherefore the grant of repentance is not to be denied to such as fall into sin after Baptism. After we have received the Holy Ghost, we may depart from grace given, and fall into sin, and by the grace of God we may arise again, and amend our lives. And therefore they are to be condemned, which say, they can no more sin as long as they live here, or deny the place of forgiveness to such as truly repent.

XVII. *Of Predestination and Election*

Predestination to Life is the everlasting purpose of God, whereby (before the foundations of the world were laid) he hath constantly decreed by his counsel secret to us, to deliver from curse and damnation those whom he hath chosen in Christ out of mankind, and to bring them by Christ to ever-

lasting salvation, as vessels made to honour. Wherefore, they which be endowed with so excellent a benefit of God be called according to God's purpose by his Spirit working in due season: they through grace obey the calling: they be justified freely: they be made sons of God by adoption: they be made like the images of his only begotten Son Jesus Christ: they walk religiously in good works, and at length, by God's mercy, they attain to everlasting felicity.

As the godly consideration of Predestination, and our Election in Christ, is full of sweet, pleasant, and unspeakable comfort to godly persons, and such as feel in themselves the working of the Spirit of Christ, mortifying the works of the flesh, and their earthly members, and drawing up their mind to high and heavenly things, as well because it doth greatly establish and confirm their faith of eternal Salvation to be enjoyed through Christ, as because it doth fervently kindle their love towards God: So, for curious and carnal persons, lacking the Spirit of Christ, to have continually before their eyes the sentence of God's Predestination, is a most dangerous downfall, whereby the Devil doth thrust them either into desperation, or into wretchedness of most unclean living, no less perilous than desperation.

Furthermore, we must receive God's promises in such wise, as they be generally set forth to us in holy Scripture: and, in our doings, that Will of God is to be followed, which we have expressly declared unto us in the Word of God.

XVIII. Of Obtaining Eternal Salvation only by the Name of Christ

They also are to be had accursed that presume to say, That every man shall be saved by the Law or Sect which he professeth, so that he be diligent to frame his life according to that Law, and the light of Nature. For holy Scripture doth set out unto us only the Name of Jesus Christ, whereby men must be saved.

XIX. Of the Church

The visible Church of Christ is a congregation of faithful men, in which the pure Word of God is preached, and the Sacraments be duly ministered according to Christ's ordinance in all those things that of necessity are requisite to the same.

As the Church of *Jerusalem*, *Alexandria*, and *Antioch*, have erred; so also the Church of *Rome* hath erred, not only in their living and manner of Ceremonies, but also in matters of Faith.

XX. Of the Authority of the Church

The Church hath power to decree Rites or Ceremonies, and authority in Controversies of Faith: And yet it is not lawful for the Church to ordain any thing that is contrary to God's Word written, neither may it so expound one place of Scripture, that it be repugnant to another. Wherefore, although the Church be a witness and a keeper of holy Writ, yet, as it ought not to decree any thing against the same, so besides the same ought it not to enforce any thing to be believed for necessity of Salvation.

XXI. Of the Authority of General Councils

General Councils may not be gathered together without the commandment and will of Princes. And when they be gathered together (forasmuch as they be an assembly of men, whereof all be not governed with the Spirit and Word of God), they may err, and sometimes have erred, even in things pertaining unto God. Wherefore things ordained by them as necessary to salvation have neither strength nor authority, unless it may be declared that they be taken out of holy Scripture.

XXII. Of Purgatory

The Romish Doctrine concerning Purgatory, Pardons, Worshipping and Adoration, as well of Images as of Reliques, and also invocation of Saints, is a fond thing vainly invented, and grounded upon no warranty of Scripture, but rather repugnant to the Word of God.

XXIII. Of Ministering in the Congregation

It is not lawful for any man to take upon him the office of publick preaching, or ministering the Sacraments in the Congregation, before he be lawfully called, and sent to execute the same. And those we ought to judge lawfully called and sent, which be chosen and called to this work by men who have publick authority given unto them in the Congregation, to call and send Ministers into the Lord's vineyard.

*XXIV. Of Speaking in the Congregation in Such a Tongue
as the People Understandeth*

It is a thing plainly repugnant to the Word of God, and the custom of the Primitive Church, to have publick Prayer in the Church, or to minister the Sacraments in a tongue not understood of the people.

XXV. Of the Sacraments

Sacraments ordained of Christ be not only badges or tokens of Christian men's profession, but rather they be certain sure witnesses and effectual signs of grace, and God's good will towards us, by the which he doth work invisibly in us, and doth not only quicken, but also strengthen and confirm our Faith in him.

There are two Sacraments ordained of Christ our Lord in the Gospel, that is to say, Baptism, and the Supper of the Lord.

Those five commonly called Sacraments, that is to say, Confirmation, Penance, Orders, Matrimony, and extreme Unction, are not to be counted for Sacraments of the Gospel, being such as have grown partly of the corrupt following of the Apostles, partly are states of life allowed in the Scriptures; but yet have not like nature of Sacraments with Baptism and the Lord's Supper, for that they have not any visible sign or ceremony ordained of God.

The Sacraments were not ordained of Christ to be gazed upon, or to be carried about, but that we should duly use them. And in such only as worthily receive the same they have a wholesome effect or operation: but they that receive them unworthily purchase to themselves damnation, as Saint *Paul* saith.

XXVI. Of the Unworthiness of the Ministers, Which Hinders Not the Effect of the Sacrament

Although in the visible Church the evil be ever mingled with the good, and sometimes the evil have chief authority in the Ministration of the Word and Sacraments, yet forasmuch as they do not the same in their own name, but in Christ's, and do minister by his commission and authority, we may use their Ministry, both in hearing the Word of God, and in receiving of the Sacraments. Neither is the effect of Christ's ordinance taken away by their wickedness, nor the grace of God's gifts diminished from such as by faith and rightly do receive the Sacraments ministered unto them; which be effectual, because of Christ's institution and promise, although they be ministered by evil men.

Nevertheless, it appertaineth to the discipline of the Church, that enquiry be made of evil Ministers, and that they be accused by those that have knowledge of their offences; and finally being found guilty, by just judgment, be deposed.

XXVII. *Of Baptism*

Baptism is not only a sign of profession and mark of difference, whereby Christian men are discerned from others, that be not christened, but it is also a sign of Regeneration or new Birth, whereby, as by an instrument, they that receive Baptism rightly are grafted into the Church; the promises of the forgiveness of sin, and of our adoption to be the sons of God by the Holy Ghost, are visibly signed and sealed; Faith is confirmed, and Grace increased by virtue of prayer unto God. The Baptism of young Children is in any wise to be retained in the Church, as most agreeable with the institution of Christ.

XXVIII. *Of the Lord's Supper*

The Supper of the Lord is not only a sign of the love that Christians ought to have among themselves one to another; but rather it is a Sacrament of our Redemption by Christ's death: insomuch that to such as rightly, worthily, and with faith, receive the same, the Bread which we break is a partaking of the Body of Christ; and likewise the Cup of Blessing is a partaking of the Blood of Christ.

Transubstantiation (or the change of the substance of Bread and Wine) in the Supper of the Lord, cannot be proved by holy Writ; but it is repugnant to the plain words of Scripture, overthroweth the nature of a Sacrament, and hath given occasion to many superstitions.

The Body of Christ is given, taken, and eaten, in the Supper, only after an heavenly and spiritual manner. And the mean whereby the Body of Christ is received and eaten in the Supper is Faith.

The Sacrament of the Lord's Supper was not by Christ's ordinance reserved, carried about, lifted up, or worshipped.

XXIX. *Of the Wicked Which Eat Not the Body of Christ
in the Use of the Lord's Supper*

The Wicked, and such as be void of a lively faith, although they do carnally and visibly press with their teeth (as Saint *Augustine* saith) the Sacrament of the Body and Blood of Christ, yet in no wise are they partakers of Christ: but rather, to their condemnation, do eat and drink the sign or Sacrament of so great a thing.

XXX. *Of Both Kinds*

The Cup of the Lord is not to be denied to the Lay-people: for both the parts of the Lord's Sacrament, by Christ's ordinance and commandment, ought to be ministered to all Christian men alike.

XXXI. Of the One Oblation of Christ Finished upon the Cross

The Offering of Christ once made is that perfect redemption, propitiation, and satisfaction, for all the sins of the whole world, both original and actual; and there is none other satisfaction for sin, but that alone. Wherefore the sacrifices of Masses, in which it was commonly said, that the Priest did offer Christ for the quick and the dead, to have remission of pain or guilt, were blasphemous fables, and dangerous deceits.

XXXII. Of the Marriage of Priests

Bishops, Priests, and Deacons, are not commanded by God's Law, either to vow the estate of single life, or to abstain from marriage: therefore it is lawful also for them, as for all other Christian men, to marry at their own discretion, as they shall judge the same to serve better to godliness.

XXXIII. Of Excommunicate Persons, How They Are to Be Avoided

That person which by open denunciation of the Church is rightly cut off from the unity of the Church, and excommunicated, ought to be taken of the whole multitude of the faithful, as an Heathen and Publican, until he be openly reconciled by penance, and received into the Church by a Judge that hath authority thereunto.

XXXIV. Of the Traditions of the Church

It is not necessary that Traditions and Ceremonies be in all places one, or utterly like; for at all times they have been divers, and may be changed according to the diversities of countries, times, and men's manners, so that nothing be ordained against God's Word. Whosoever through his private judgment, willingly and purposely, doth openly break the traditions and ceremonies of the Church, which be not repugnant to the Word of God, and be ordained and approved by common authority, ought to be rebuked openly (that others may fear to do the like) as he that offendeth against the common order of the Church, and hurteth the authority of the Magistrate, and woundeth the consciences of the weak brethren.

Every particular or national Church hath authority to ordain, change, and abolish, ceremonies or rites of the Church ordained only by man's authority, so that all things be done to edifying.

XXXV. Of the Homilies

The second Book of Homilies, the several titles whereof we have joined under this Article, doth contain a godly and wholesome Doctrine, and neces-

sary for these times, as doth the former Book of Homilies, which were set forth in the time of *Edward* the Sixth; and therefore we judge them to be read in Churches by the Ministers, diligently and distinctly, that they may be understood of the people. . . .

XXXVI. *Of Consecration of Bishops and Ministers*

The Book of Consecration of Archbishops and Bishops, and Ordering of Priests and Deacons, lately set forth in the time of *Edward* the Sixth, and confirmed at the same time by authority of Parliament, doth contain all things necessary to such Consecration and Ordering: neither hath it any thing, that of itself is superstitious and ungodly. And therefore whosoever are consecrated or ordered according to the Rites of that Book, since the second year of the fore-named King *Edward* unto this time, or hereafter shall be consecrated and ordered according to the same Rites; we decree all such to be rightly, orderly, and lawfully consecrated and ordered.

XXXVII. *Of the Civil Magistrates*

The Queen's Majesty hath the chief power in this Realm of *England*, and other her Dominions, unto whom the chief Government of all Estates of this Realm, whether they be Ecclesiastical or Civil, in all causes doth appertain, and is not, nor ought to be, subject to any foreign Jurisdiction.

Where we attribute to the Queen's Majesty the chief government, by which Titles we understand the minds of some slanderous folks to be offended; we give not to our Princes the ministering either of God's Word, or of the Sacraments, the which thing the Injunctions also lately set forth by *Elizabeth* our Queen do most plainly testify; but that only prerogative, which we see to have been given always to all godly Princes in holy Scriptures, by God himself; that is, that they should rule all estates and degrees committed to their charge by God, whether they be Ecclesiastical or Temporal, and restrain with the civil sword the stubborn and evildoers.

The Bishop of *Rome* hath no jurisdiction in this Realm of *England*.

The Laws of the Realm may punish Christian men with death, for heinous and grievous offences.

It is lawful for Christian men, at the commandment of the Magistrate, to wear weapons, and serve in the wars.

XXXVIII. *Of Christian Men's Goods, Which Are Not Common*

The Riches and Goods of Christians are not common, as touching the right, title, and possessions of the same, as certain Anabaptists do falsely boast. Not-

withstanding, every man ought, of such things as he possesseth, liberally to give alms to the poor, according to his ability.

XXXIX. *Of a Christian Man's Oath*

As we confess that vain and rash Swearing is forbidden Christian men by our Lord Jesus Christ, and *James* his Apostle, so we judge, that Christian Religion doth not prohibit, but that a man may swear when the Magistrate requireth, in a cause of faith and charity, so it be done according to the Prophet's teaching, in justice, judgment, and truth.

THE RATIFICATION

This Book of Articles before rehearsed, is again approved, and allowed to be holden and executed within the Realm, by the assent and consent of our Sovereign Lady ELIZABETH, by the grace of God, of England, France, and Ireland, Queen, Defender of the Faith, &c. Which Articles were deliberately read, and confirmed again by the subscription of the hands of the Archbishops and Bishops of the Upper-house, and by the subscription of the whole Clergy of the Nether-house in their Convocation, in the Year of our Lord 1571.

RICHARD HOOKER

A PRODUCT OF the Elizabethan age of Shakespeare, Bacon, and Spenser, *Of the Laws of Ecclesiastical Polity* is the classic treatise on the theory of Anglicanism and the Church of England. Richard Hooker (c. 1553–1600), entering Oxford at fourteen or fifteen, later taught there for about twenty years, until shortly after his ordination. The post of Master of the Temple in London marked the beginning for Hooker of ecclesiastical controversy. Preaching in the morning, he was followed later in the day by Walter Travers, of strong Presbyterian tendency, who would concern himself with a refutation of the morning sermon and evoke a reply from Hooker the following week; so that according to a current saying, “the forenoon spake Canterbury, the afternoon Geneva.” Out of the issues in this situation grew the *Ecclesiastical Polity*, as much a contribution to the literature of the English language as to theology. The first four of its Books appeared c. 1592, the fifth in 1597, and the last three posthumously.

Thinking, originally, in terms of justifying the episcopal organization and traditions of the English Church, Hooker developed the book on a far wider scale, into a philosophic document which defended at length, against his Puritan opponents, the authority of reason as equal and parallel to that of Scripture and which influenced John Locke’s theory of government. The *Ecclesiastical Polity* is a long and elaborate work. The following brief selections touch on the position of Anglicanism with respect to the Roman Church on the one hand and Continental Protestantism on the other; on the role of private religious judgment; and on the relation between church and state, a central problem in the Anglican viewpoint. It should be mentioned that Book VIII, from which the last selection is taken, though generally accepted as the work of Hooker, was left unrevised by him and has come down in edited form.



OF THE LAWS OF ECCLESIASTICAL POLITY

[Book II]

VIII. Two opinions . . . there are concerning sufficiency of Holy Scripture, each extremely opposite unto the other, and both repugnant unto truth. The schools of Rome teach Scripture to be so unsufficient, as if, except traditions were added, it did not contain all revealed and supernatural truth, which absolutely is necessary for the children of men in this life to know that they may in the next be saved. Others justly condemning this opinion grow likewise unto a dangerous extremity, as if Scripture did not only contain all things

in that kind necessary, but all things simply, and in such sort that to do anything according to any other law were not only unnecessary but even opposite unto salvation, unlawful and sinful. Whatsoever is spoken of God or things appertaining to God otherwise than as the truth is; though it seem an honour, it is an injury. And as incredible praises given unto men do often abate and impair the credit of their deserved commendation; so we must likewise take great heed, lest in attributing unto Scripture more than it can have, the incredibility of that do cause even those things which indeed it hath most abundantly to be less reverently esteemed. I therefore leave it to themselves to consider, whether they have in this first point or not overshot themselves . . .

[*Book IV*]

VIII. They which measure religion by dislike of the church of Rome think every man so much the more sound, by how much he can make the corruptions thereof to seem more large. And therefore some there are, namely the Arians in reformed churches of Poland, which imagine the canker to have eaten so far into the very bones and marrow of the church of Rome, as if it had not so much as a sound belief, no not concerning God himself, but that the very belief of the Trinity were a part of antichristian corruption; and that the wonderful providence of God did bring to pass that the bishop of the see of Rome should be famous for his triple crown; a sensible mark whereby the world might know him to be that mystical beast spoken of in the Revelation, to be that great and notorious Antichrist in no one respect so much as in this, that he maintaineth the doctrine of the Trinity. Wisdom therefore and skill is requisite to know, what parts are sound in that church, and what corrupted.

Neither is it to all men apparent which complain of unsound parts, with what kind of unsoundness every such part is possessed. They can say, that in doctrine, in discipline, in prayers, in sacraments, the church of Rome hath (as it hath indeed) very foul and gross corruptions; the nature whereof notwithstanding because they have not for the most part exact skill and knowledge to discern, they think that amiss many times which is not; and the salve of reformation they mightily call for, but where and what the sores are which need it, as they wot full little, so they think it not greatly material to search. Such men's contentment must be wrought by stratagem; the usual method of art is not for them. . . .

XIII. . . . The church of England is grievously charged with forgetfulness of her duty, which duty had been to frame herself unto the pattern of their example that went before her in the work of reformation. . . .

XIV. To leave reformed churches . . . and their actions for Him to judge

of, in whose sight they are as they are; and our desire is that they may even in His sight be found such as we ought to endeavour by all means that our own may likewise be; somewhat we are enforced to speak by way of simple declaration concerning the proceedings of the church of England in these affairs, to the end that men whose minds are free from those partial constructions, whereby the only name of difference from some other churches is thought cause sufficient to condemn ours, may the better discern whether that we have done be reasonable, yea or no. The church of England being to alter her received laws concerning such orders, rites, and ceremonies, as had been in former times an hindrance unto piety and religious service of God, was to enter into consideration first, that the change of laws, especially concerning matter of religion, must be warily proceeded in. Laws, as all other things human, are many times full of imperfection; and that which is supposed behoveful unto men, proveth oftentimes most pernicious. The wisdom which is learned by tract of time, findeth the laws that have been in former ages established, needful in later to be abrogated. Besides, that which sometime is expedient doth not always so continue: and the number of needless laws unabolished doth weaken the force of them that are necessary. But true withal it is, that alteration though it be from worse to better hath in it inconveniences, and those weighty; unless it be in such laws as have been made upon special occasions, which occasions ceasing, laws of that kind do abrogate themselves. But when we abrogate a law as being ill made, the whole cause for which it was made still remaining, do we not herein revoke our very own deed, and upbraid ourselves with folly, yea, all that were makers of it with oversight and with error? . . .

. . . What exception can there be taken against the judgment of St. Augustine, who saith, "That of things harmless, whatsoever there is which the whole Church doth observe throughout the world, to argue for any man's immunity from observing the same, it were a point of most insolent madness?" And surely odious it must needs have been for one Christian church to abolish that which all had received and held for the space of many ages, and that without any detriment unto religion so manifest and so great, as might in the eyes of impartial men appear sufficient to clear them from all blame of rash and inconsiderate proceeding, if in fervour of zeal they had removed such things. Whereas contrariwise, so reasonable moderation herein used hath freed us from being deservedly subject unto that bitter kind of obloquy, whereby as the church of Rome doth under the colour of love towards those things which be harmless, maintain extremely most hurtful corruptions; so we peradventure might be upbraided, that under colour of hatred towards those things that are corrupt, we are on the other side as extreme even against most harmless ordinances. And as they are obstinate to retain that, which no man of any

conscience is able well to defend; so we might be reckoned fierce and violent to tear away that, which if our own mouths did condemn, our consciences would storm and repine thereat. The Romans having banished Tarquinius the Proud, and taken a solemn oath that they never would permit any man more to reign, could not herewith content themselves or think that tyranny was thoroughly extinguished, till they had driven one of their consuls to depart the city, against whom they found not in the world what to object, saving only that his name was Tarquin, and that the commonwealth could not seem to have recovered perfect freedom, as long as a man of so dangerous a name was left remaining. For the church of England to have done the like in casting out of papal tyranny and superstition; to have shewed greater willingness of accepting the very ceremonies of the Turk Christ's professed enemy, than of the most indifferent things which the church of Rome approveth; to have left not so much as the names which the church of Rome doth give unto things innocent; to have ejected whatsoever that Church doth make account of, be it never so harmless in itself, and of never so ancient continuance, without any other crime to charge it with, than only that it hath been the hap thereof to be used by the church of Rome, and not to be commanded in the word of God: this kind of proceeding might haply have pleased some few men, who having begun such a course themselves must needs be glad to see their example followed by us. But the Almighty which giveth wisdom and inspireth with right understanding whomsoever it pleaseth him, he foreseeing that which man's wit had never been able to reach unto, namely, what tragedies the attempt of so extreme alteration would raise in some part of the Christian world, did for the endless good of his Church (as we cannot choose but interpret it) use the bridle of his provident restraining hand, to stay those eager affections in some, and to settle their resolution upon a course more calm and moderate: lest as in other most ample and heretofore most flourishing dominions it hath since fallen out, so likewise if in ours it had come to pass, that the adverse part being enraged, and betaking itself to such practices as men are commonly wont to embrace, when they behold things brought to desperate extremities, and no hope left to see any other end, than only the utter oppression and clean extinguishment of one side; by this mean Christendom flaming in all parts of greatest importance at once, they all had wanted that comfort of mutual relief, whereby they are now for the time sustained (and not the least by this our church which they so much impeach) till mutual combustions, bloodsheds, and wastes (because no other inducement will serve) may enforce them through very faintness, after the experience of so endless miseries, to enter on all sides at the length into such consultation, as may tend to the best re-establishment of the whole Church of Jesus Christ. To the singular good

whereof it cannot but serve as a profitable direction to teach men what is most likely to prove available, when they shall quietly consider the trial that hath been thus long had of both kinds of reformation; as well this moderate kind which the church of England hath taken, as that other more extreme and rigorous which certain churches elsewhere have better liked. In the meanwhile it may be, that suspense of judgment and exercise of charity were safer and seemlier for Christian men, than the hot pursuit of these controversies, wherein they that are most fervent to dispute be not always the most able to determine. But who are on this side, and who against him, our Lord in his good time shall reveal. . . .

[*Book V*]

I. . . . We agree that pure and unstained religion ought to be the highest of all cares appertaining to public regiment: as well in regard of that aid and protection which they who faithfully serve God confess they receive at his merciful hands; as also for the force which religion hath to qualify all sorts of men, and to make them in public affairs the more serviceable, governors the apter to rule with conscience, inferiors for conscience' sake the willing to obey. It is no peculiar conceit, but a matter of sound consequence, that all duties are by so much the better performed, by how much the men are more religious from whose abilities the same proceed. For if the course of politic affairs cannot in any good sort go forward without fit instruments, and that which fiteth them be their virtues, let Polity acknowledge itself indebted to Religion; godliness being the chiefest top and wellspring of all true virtues, even as God is of all good things. . . .

X. Now where the word of God leaveth the Church to make choice of her own ordinances, if against those things which have been received with great reason, or against that which the ancient practice of the Church hath continued time out of mind, or against such ordinances as the power and authority of that Church under which we live hath itself devised for the public good, or against the discretion of the Church in mitigating sometimes with favourable equity that rigour which otherwise the literal generality of ecclesiastical laws hath judged to be more convenient and meet; if against all this it should be free for men to reprove, to disgrace, to reject at their own liberty what they see done and practised according to order set down; if in so great variety of ways as the wit of man is easily able to find out towards any purpose, and in so great liking as all men especially have unto those inventions whereby some one shall seem to have been more enlightened from above than many thousands, the Church did give every man license to follow what himself imagineth

that "God's Spirit doth reveal" unto him, or what he supposeth that God is likely to have revealed to some special person whose virtues deserve to be highly esteemed: what other effect could hereupon ensue, but the utter confusion of his Church under pretence of being taught, led, and guided by his Spirit? The gifts and graces whereof do so naturally all tend unto common peace, that where such singularity is, they whose hearts it possesseth ought to suspect it the more, inasmuch as if it did come of God, and should for that cause prevail with others, the same God which revealeth it to them, would also give them power of confirming it unto others, either with miraculous operation, or with strong and invincible remonstrance of sound Reason, such as whereby it might appear that God would indeed have all men's judgments give place unto it; whereas now the error and unsufficiency of their arguments do make it on the contrary side against them a strong presumption, that God hath not moved their hearts to think such things as he hath not enabled them to prove.

[*Book VIII*]

I. It was not thought fit in the Jews' commonwealth, that the exercise of supremacy ecclesiastical should be denied unto him, to whom the exercise of chieftly civil did appertain; and therefore their kings were invested with both. . . .

According to the pattern of which example, the like power in causes ecclesiastical is by the laws of this realm annexed unto the crown. And there are which imagine, that kings, being mere lay persons, do by this means exceed the lawful bounds of their calling. Which thing to the end that they may persuade, they first make a necessary separation perpetual and personal between the Church and commonwealth. Secondly, they so tie all kind of power ecclesiastical unto the Church, as if it were in every degree their only right which are by proper spiritual function termed Church-governors, and might not to Christian princes any wise appertain.

To lurk under shifting ambiguities and equivocations of words in matters of principal weight is childish. A church and a commonwealth we grant are things in nature the one distinguished from the other. A commonwealth is one way, and a church another way, defined. In their opinion the church and the commonwealth are corporations, not distinguished only in nature and definition, but in subsistence perpetually severed; so that they that are of the one can neither appoint nor execute in whole nor in part the duties which belong unto them which are of the other, without open breach of the law of God, which hath divided them, and doth require that being so divided they should

distinctly and severally work, as depending both upon God, and not hanging one upon the other's approbation for that which either hath to do.

We say that the care of religion being common unto all societies politic, such societies as do embrace the true religion have the name of the Church given unto every of them for distinction from the rest; so that every body politic hath some religion, but the Church that religion which is only true. Truth of religion is that proper difference whereby a church is distinguished from other politic societies of men. We here mean true religion in gross, and not according to every particular: for they which in some particular points of religion do swerve from the truth, may nevertheless most truly, if we compare them to men of an heathenish religion, be said to hold and profess that religion which is true. For which cause, there being of old so many politic societies established throughout the world, only the commonwealth of Israel, which had the truth of religion, was in that respect the Church of God: and the Church of Jesus Christ is every such politic society of men, as doth in religion hold that truth which is proper to Christianity. As a politic society it doth maintain religion; as a church, that religion which God hath revealed by Jesus Christ.

With us therefore the name of a church importeth only a society of men, first united into some public form of regiment, and secondly distinguished from other societies by the exercise of Christian religion. With them on the other side the name of the Church in this present question importeth not only a multitude of men so united and so distinguished, but also further the same divided necessarily and perpetually from the body of the commonwealth: so that even in such a politic society as consisteth of none but Christians, yet the Church of Christ and the commonwealth are two corporations, independently each subsisting by itself.

We hold, that seeing there is not any man of the Church of England but the same man is also a member of the commonwealth; nor any man a member of the commonwealth, which is not also of the Church of England; therefore as in a figure triangular the base doth differ from the sides thereof, and yet one and the selfsame line is both a base and also a side; a side simply, a base if it chance to be the bottom and underlie the rest: so, albeit properties and actions of one kind do cause the name of a commonwealth, qualities and functions of another sort the name of a Church to be given unto a multitude, yet one and the selfsame multitude may in such sort be both, and is so with us, that no person appertaining to the one can be denied to be also of the other. Contrariwise, unless they against us should hold, that the Church and the commonwealth are two, both distinct and separate societies, of which two, the one comprehendeth always persons not belonging to the other; that which they do they could not conclude out of the difference between the Church and the

commonwealth; namely, that bishops may not meddle with the affairs of the commonwealth, because they are governors of another corporation, which is the Church; nor kings with making laws for the Church, because they have government not of this corporation, but of another divided from it, the commonwealth; and the walls of separation between these two must for ever be upheld. They hold the necessity of personal separation, which clean excludeth the power of one man's dealing in both; we of natural, which doth not hinder but that one and the same person may in both bear a principal sway. . . .

Wherefore to end this point, I conclude: First, that under dominions of infidels, the Church of Christ, and their commonwealth, were two societies independent. Secondly, that in those commonwealths where the bishop of Rome beareth sway, one society is both the Church and the commonwealth; but the bishop of Rome doth divide the body into two diverse bodies, and doth not suffer the Church to depend upon the power of any civil prince or potentate. Thirdly, that within this realm of England the case is neither as in the one, nor as in the other of the former two: but from the state of pagans we differ, in that with us one society is both the Church and commonwealth, which with them it was not; as also from the state of those nations which subject themselves to the bishop of Rome, in that our Church hath dependency upon the chief in our commonwealth, which it hath not under him. In a word, our estate is according to the pattern of God's own ancient elect people, which people was not part of them the commonwealth, and part of them the Church of God, but the selfsame people whole and entire were both under one chief Governor, on whose supreme authority they did all depend.

SAINT IGNATIUS OF LOYOLA

IN THE GENERAL MOVEMENT of the Catholic Counter-Reformation, which stressed internal revivification and opposition to Protestantism and which reached its culmination in the Council of Trent, Ignatius of Loyola (1491-1556) is a leading figure. Originally a soldier in the forces of the Emperor Charles V, he turned to religious meditation during a long and serious illness brought on by battle wounds. His recovery found him determined to be a soldier of Christ. A great many obstacles, however, followed, his enthusiasm to serve the church in some way or other not yet being shared by churchmen. Realizing the handicaps of being untutored, he started grammar-school studies at the age of thirty-three, subsequently going to the University of Paris. There he met a group of scholarly and pious men, from whom were to come advisers to the Council of Trent and the first members of the Society of Jesus. The Jesuits sprang from a religious fraternity that Ignatius had founded among these friends at Paris. The pope officially recognized the order in 1540.

The *Spiritual Exercises* was composed over a long period, as Ignatius added to it constantly. Originally written in Spanish, it was twice translated into Latin during the author's lifetime and was highly commended by Paul III. If the Jesuit organization reflects its founder's military training, the book reflects his deep concern for orthodoxy and uniformity of thinking. As forces influencing and furthering the Catholic revival in the sixteenth century the importance of Ignatius and the Jesuits cannot be sufficiently emphasized.

The following selection is taken from a translation published by Burns and Oates (4th ed. 1908).



SPIRITUAL EXERCISES

RULES FOR THINKING WITH THE CHURCH

In order to think truly, as we ought, in the church militant, the following rules are to be observed.

I. Laying aside all private judgment, we ought to keep our minds prepared and ready to obey in all things the true Spouse of Christ our Lord, which is our Holy Mother, the Hierarchical Church.

II. The second is to praise confession made to a priest, and the reception of the Most Holy Sacrament, once a year, and what is much better once a month, and much better still every eight days, always with the requisite and due dispositions.

III. The third is to praise the frequent hearing of Mass, also hymns, psalms, and long prayers, both in and out of the church, and likewise the hours ordained at fixed times for all the Divine Office, for prayers of any kind, and all the canonical hours.

IV. The fourth, to praise greatly religious orders, and a life of virginity and continency, and not to praise the married state as much as any of these.

V. The fifth is to praise the vows of religion, of Obedience, Poverty, and Chastity, and vows to perform other works of perfection and supererogation; and it is to be noticed that as a vow is made in matters more nearly approaching evangelical perfection, so in matters which depart from it a vow ought not to be made, *v.g.*, to become a merchant or to enter the marriage state, &c.

VI. The sixth is to praise the relics of saints, showing veneration to the relics, and praying to the saints, and to praise likewise the Stations, pilgrimages, indulgences, jubilees, Bulls of the *Cruciata*, and candles lighted in churches.

VII. The seventh is to praise the precepts with regard to fasts and abstinences, as those of Lent, Ember days, Vigils, Fridays, and Saturdays; likewise not only interior but also exterior penances.

VIII. To praise the building and the ornaments of churches; and also images, and to venerate them according to what they represent.

IX. Finally, to praise all the precepts of the Church, keeping our minds ready to seek reasons to defend, never to impugn them.

X. We ought to be very ready to approve and praise the constitutions, recommendations, and habits of life of our superiors; because, although they may not be or may not have been praiseworthy, still to speak against them in public discourse, or before the lower classes, would give rise to murmurs and scandals, rather than be of any use, and thus the people would be irritated against their temporal or spiritual superiors. Nevertheless, as on the one hand it is hurtful to speak ill before the people concerning superiors in their absence, so on the other it may be useful to speak of their bad habits to those who can apply a remedy.

XI. The eleventh is to praise positive and scholastic theology: for as it rather belongs to the positive doctors, as St. Jerome, St. Augustine, St. Gregory, etc. to stir up the affections to the love and service of God our Lord in all things: so it rather belongs to the scholastic doctors, as St. Thomas, St. Bonaventure, and the Master of the Sentences, etc., to define and explain for our times what is necessary for salvation, and more to attack and to expose all errors and fallacies; because the scholastic doctors being of later date can avail themselves not only of the right understanding of the Holy Scriptures, and of the writings of the holy positive doctors, but being themselves illuminated and

enlightened by the Divine Power, they can be helped by the Councils, Canons, and Constitutions of our Holy Mother the Church.

XII. We ought to guard against making comparisons between the living and the blessed who have passed away, for no slight error is committed in this, as for example, in saying: He knows more than St. Augustine; He is as great or greater than St. Francis; He is another St. Paul in virtue and holiness, &c.

XIII. To attain the truth in all things, we ought always to hold that we believe what seems to us white to be black, if the Hierarchical Church so defines it; believing that between Christ our Lord the Bridegroom and the Church His Bride there is one and the same Spirit, which governs and directs us to the salvation of our souls; for our Holy Mother the Church is guided and ruled by the same Spirit and Lord that gave the Ten Commandments.

XIV. Although it is very true that no one can be saved without being predestined, and without having faith and grace, we must be very careful in our manner of speaking and treating of all this subject.

XV. We ought not habitually to speak much of Predestination; but if sometimes mention be made of it in any way, we must so speak that the common people may not fall into error, as happens sometimes when they say: "It is already fixed whether I am to be saved or damned, and there cannot be any other result whether I do good or ill"; and, becoming slothful in consequence, they neglect works conducive to their salvation, and to the spiritual profit of their souls.

XVI. In the same way it is to be noticed that we must take heed lest by speaking much with great earnestness on Faith, without any distinction or explanation, occasion be given to the people to become slothful and sluggish in good works, whether it be before or after that faith is formed in charity.

XVII. In like manner we ought not to speak or to insist on the doctrine of Grace so strongly, as to give rise to that poisonous teaching that takes away free-will. Therefore, we may treat of Faith and Grace, as far as we may with the help of God, for the greater praise of His Divine Majesty; but not in such a way, especially in these dangerous times of ours, that works or free-will receive any detriment, or come to be accounted for nothing.

XVIII. Although it is above all things praiseworthy to greatly serve God our Lord out of pure love, yet we ought much to praise the fear of His Divine Majesty, because not only is filial fear a pious and most holy thing, but even servile fear, when a man does not rise to anything better and more useful, is of great help to him to escape from mortal sin; and, after he has escaped from it, he easily attains to filial fear, which is altogether acceptable and pleasing to God our Lord, because it is inseparable from Divine love.

THE COUNCIL OF TRENT

THE COUNCIL OF TRENT, divided into three periods under three different popes, began in 1545 and ended in 1563. Its original convocation was due in large part to the efforts of the Emperor Charles V, a loyal Catholic. After many delays it assembled in the capital of the Italian Tyrol, which was imperial territory; but Charles and Pope Paul III had opposing conceptions of the proper mode of procedure. The pope thought in terms of condemning the Protestant heresy and emphasizing doctrine; Charles insisted that the internal reform of ecclesiastical abuses should be given prior consideration, the problems of dogma to be deferred until he could get Protestant representatives to attend. The papal party had its way, and the emperor's plan for reconciliation with the Protestants was superseded.

From the beginning, as a result of the divers parties represented, numerous differences of opinion existed. Voting was by individuals instead of nations, so that the Italian delegates, constituting a majority of two thirds, influenced the proceedings in the papal behalf. Nevertheless, the council emerged with a reaffirmation and systematization of Catholic doctrine and practice, enacting certain regulations for the reform of ecclesiastical life, establishing an Index of prohibited books, and strengthening the Inquisition. Though the varied results often met inevitable opposition among the secular national powers, the council on the whole achieved a unified front against Protestantism and fortified the ranks of the orthodox faithful.

The first of the following brief selections is from the *History of the Council of Trent* by Paolo Sarpi (1552-1623), a Venetian church reformer and scientist. Attacking the pope's authority in secular matters, Sarpi became a high official in Venice. Himself a Catholic ecclesiastic, he pressed for toleration of Protestantism and for an independent Venetian church. The translation from the Italian is that of N. Brent, 1640. The other two selections are taken from J. Waterworth, *Canons and Decrees of the Council of Trent* (1848).



PAOLO SARPI'S HISTORY OF THE COUNCIL OF TRENT

18 January, 1546. The Imperialists said that the points of doctrine could not be touched with hope of any fruit, because it was first necessary to remove the transgressions, from whence the heresies arose, by a good reformation, enlarging themselves very much in this field, and concluding that so long as the scandal which the world receiveth, by the deformation of the clergy, ceaseth not, nothing that they can say or preach will ever be believed, all being persuaded that deeds ought to be regarded, and not words. And that they ought

not to take example by the ancient councils, because in them either there was not corruption of manners, or that was not cause of heresy; and in fine, that to defer the treaty of reformation, was to show themselves incorrigible. Some few others thought fit to begin with doctrine, and then to pass to reformation, alleging that faith is the ground and foundation of Christian life; that no man begins to build from the roof, but from the foundations; that it is a greater sin to err in faith than in other human actions; and that the point of rooting out heresies was put first in the Pope's bulls. A third opinion was, that the points of reformation and faith might ill be separated, because there was no doctrine without abuse, nor abuse which drew not after it the bad interpretation and bad sense of some doctrine. Therefore it was necessary to handle them at the same time, for that the world having their eyes fixed upon this council and expecting a remedy as well in matters of faith as manners, it would be satisfied better by handling them both together, than one after another, especially if, according to the proposition of the Cardinal of Monte, divers deputations were made, and one handled this matter, and the other that, which should be done quickly, considering that the time present, when Christendom had peace, was precious, and not to be lost, not knowing what impediments the time to come might bring. And the rather, because they should study to make the Council as short as they could, that the churches the less while might remain deprived of their pastors, and for many other respects, intimating that which might arise in length of time, to the distaste of the pope and court of Rome. Some others, among whom were the Frenchmen, demanded, that that of the peace might be the first: that they should write unto the emperor, the most Christian king, and other princes, giving them thanks for the convocation of the council, for continuance whereof that they would establish peace, and help the work forward, by sending their ambassadors and prelates; and likewise should write friendly to the Lutherans, inviting them charitably to come at the Council, and join themselves with the rest of Christendom.

PROCEEDINGS OF THE COUNCIL

ON SCRIPTURE AND TRADITION

THE SACRED AND HOLY, œcumenical, and general Synod of Trent, lawfully assembled in the Holy Ghost, the same three legates of the Apostolic See presiding therein,—keeping this always in view, that, errors being removed, the purity itself of the Gospel be preserved in the Church; which (Gospel), before promised through the prophets in the holy Scriptures, our Lord Jesus Christ,

the Son of God, first promulgated with His own mouth, and then commanded to be preached by His Apostles to every creature, as the fountain of all, both saving truth, and moral discipline; and seeing clearly that this truth and discipline are contained in the written books, and the unwritten traditions which, received by the Apostles from the mouth of Christ himself, or from the Apostles themselves, the Holy Ghost dictating, have come down even unto us, transmitted as it were from hand to hand; (the Synod) following the examples of the orthodox Fathers, receives and venerates with an equal affection of piety, and reverence, all the books both of the Old and of the New Testament—seeing that one God is the author of both—as also the said traditions, as well those appertaining to faith as to morals, as having been dictated, either by Christ's own word of mouth, or by the Holy Ghost, and preserved in the Catholic Church by a continuous succession. . . .

ON JUSTIFICATION

Canon I. If any one saith, that man may be justified before God by his own works, whether done through the teaching of human nature, or that of the law, without the grace of God through Jesus Christ; let him be anathema.

Canon II. If any one saith, that the grace of God, through Jesus Christ, is given only for this, that man may be able more easily to live justly, and to merit eternal life, as if, by free will without grace, he were able to do both, though hardly indeed and with difficulty; let him be anathema.

Canon III. If any one saith, that without the prevenient inspiration of the Holy Ghost, and without his help, man can believe, hope, love, or be penitent as he ought, so as that the grace of Justification may be bestowed upon him; let him be anathema.

Canon IV. If any one saith, that man's free will moved and excited by God, by assenting to God exciting and calling, nowise cooperates towards disposing and preparing itself for obtaining the grace of Justification; that it cannot refuse its consent, if it would, but that, as something inanimate, it does nothing whatever and is merely passive; let him be anathema.

Canon V. If any one saith, that since Adam's sin, the free will of man is lost and extinguished; or, that it is a thing with only a name, yea a name without a reality, a figment, in fine, introduced into the Church by Satan; let him be anathema.

Canon VI. If any one saith, that it is not in man's power to make his ways evil, but that the works that are evil God worketh as well as those that are good, not permissively only, but properly, and of Himself, in such wise that the treason of Judas is no less His own proper work than the vocation of Paul; let him be anathema.

Canon VII. If any one saith, that all works done before Justification, in whatsoever way they be done, are truly sins, or merit the hatred of God; or that the more earnestly one strives to dispose himself for grace, the more grievously he sins: let him be anathema.

Canon VIII. If any one saith, that the fear of hell,—whereby, by grieving for our sins, we flee unto the mercy of God, or refrain from sinning,—is a sin, or makes sinners worse; let him be anathema.

Canon IX. If any one saith, that by faith alone the impious is justified; in such wise as to mean, that nothing else is required to cooperate in order to the obtaining the grace of Justification, and that it is not in any way necessary, that he be prepared and disposed by the movement of his own will; let him be anathema.

Canon XV. If any one saith, that a man, who is born again and justified, is bound of faith to believe that he is assuredly in the number of the predestinate; let him be anathema.

Canon XXIII. If any one saith, that a man once justified can sin no more, nor lose grace, and that therefore he that falls and sins was never truly justified; or, on the other hand, that he is able, during his whole life, to avoid all sins, even those that are venial,—except by a special privilege from God, as the Church holds in regard of the Blessed Virgin; let him be anathema.

Canon XXIV. If any one saith, that the justice received is not preserved and also increased before God through good works; but that the said works are merely the fruits and signs of Justification obtained, but not a cause of the increase thereof; let him be anathema.

VIII

THE DEVELOPMENT OF MODERN SCIENCE

FRANCIS BACON

FRANCIS BACON (1561–1626) was born in London, the youngest son of Sir Nicholas Bacon, Elizabeth's Lord Keeper of the Seal. He was sent to Trinity College, Cambridge, at that time still completely dominated by traditional modes of thought; but through the polemics carried on by his teachers against Peter Ramus, a humanistic opponent of scholastic logic, Bacon probably made his first acquaintance with the latter's writings. In any event, Bacon's own views on scientific method as he later developed them were considerably influenced by Ramistic ideas. After a short period of foreign travel Bacon entered Gray's Inn and was admitted to the bar in 1582. His subsequent career was divided between public office and the fulfillment of ambitions for power on the one hand, and literary, historical, and scientific writing on the other. He entered Parliament and became a private counselor to the earl of Essex; but when the latter was tried for his part in the plot against the queen, Bacon offered his legal services to the crown. Nevertheless, his advancement under Elizabeth was slow, and not until James I ascended the throne in 1603 did he really achieve his personal ambitions. Within ten years he was Attorney General; in 1616 he became Lord Keeper of the Seal and Lord Chancellor with the title of Baron Verulam, and four years later he was made Viscount St. Albans.

The role Bacon played in advising James to resist the constitutional demands of Parliament is still under controversy, but in any case he did not dissuade the king from pursuing an uncompromising policy. His political enemies finally used the fact of his taking bribes in the Chancery Courts to cause his downfall. He was tried before the House of Lords, where he confessed the facts alleged against him but declared that the gifts he received did not sway his judgment and that he had been the justest judge of his day. There is, in fact, no good evidence that Bacon was not speaking the truth. He was declared guilty of the offenses charged, ordered to pay a large fine and suffer imprisonment in the Tower during the king's pleasure, and deprived of the right to hold office again. His actual punishment was light, since he was released from the Tower in a few days and escaped paying the fine; but his political power was permanently broken, and he spent the remainder of his life in seclusion.

In the midst of his public duties Bacon found time to write. His *Essays* established his literary fame, and his legal and historical writings revealed to his contemporaries a judicious mind with a realistic grasp of public affairs. Bacon was among the first to defend the modern concept of interest charges on loans, and he was critical of the bullionist theories of mercantilism.

It was in Bacon that the general disgust with the old learning characteristic of his age and the ideal of useful knowledge, of a science humanized with a new and practical aim of power over nature, had their most outspoken exponent. His *Advancement of Learning* (1605) offered a detailed criticism of medieval science, which he called "contentious learning." In the *Novum Organum (New Method or Logic)* he writes (1620): "The method of discovery and proof according to

which the most general principles are first established, and then intermediate axioms are tried and proved by them, is the parent of error and the curse of all science." Bacon was equally scornful of what he called the "delicate learning" of humanism. With regard to the humanists' reliance on ancient authorities Bacon says that Greek wisdom "has the characteristic property of boys: it can talk, but it cannot generate; for it is fruitful of controversies but barren of works." "Works" are the goal of the new method, and signify a new spirit and a great intellectual change. Bacon took immense pride in his studies on logic, and he believed himself to be inaugurating a new era in science by his proposed method of inductive inquiry. He thought that the process of scientific discovery could be reduced to the application of a few simple rules, so that in consequence all men could become equally successful inquirers into nature's laws. In the *Novum Organum* he classified the obstacles hindering the advance of science, and formulated the principles of the new logic which was to overcome them. Briefly, he saw the reason for the backwardness of science in the fact that men have a tendency to *anticipate* nature by prejudicial and conjectural opinions as to her course; and he recommended that instead men should *interpret* nature by a methodical tabulation and sifting of large collections of facts. Bacon's writings on scientific method impressed many of his contemporaries, including Leibniz and Boyle, and Macaulay expressed a view widespread in his day when he declared that the Baconian philosophy "performed the wonders of subsequent scientific progress." Nonetheless, though his writings on logic contain some valuable reminders, Bacon had no sound grasp of the mathematical-experimental method which characterizes the modern sciences of nature. He underrated the role of bold conjectures in the conduct of inquiry, while at the same time his own thought was controlled by an unwarranted theory concerning the constitution of nature. His writings have had in fact little influence upon the practice of the great contributors to scientific progress. He himself failed to appreciate the work of such men as Copernicus, Kepler, and Gilbert, and in many ways his conception of scientific method was a continuation of the scholasticism he thought he was attacking.

But if Bacon neither initiated nor formulated the method of the new science, he did perform an important mission. He recognized the immense possibilities for human welfare of a science freed from ancient superstitions and authoritarian dogmas. He saw clearly the boundless power men could exercise over nature if only they would first learn to obey her rather than their unconfirmed prejudices. He encouraged the belief that by organized effort, such as is described in his *New Atlantis*, scientific progress is not completely at the mercy of chance. And even though his conception of the nature of planned research was naive, he understood what a significant role a socially supported but free inquiry could play in the organization of society. Bacon thus was a prophet and propagandist for the civilizing values of science. He filled his readers with the great hope that men could master their destiny, and he gave them courage for the struggle against paralyzing tradition and for a more adequate interpretation of nature.

The following selection is Bacon's Preface to the *Great Instauration*, his classic work on scientific method, the second part of which is the *Novum Organum*.



THE GREAT INSTAURATION

PREFACE

That the state of knowledge is not prosperous nor greatly advancing; and that a way must be opened for the human understanding entirely different from any hitherto known, and other helps provided, in order that the mind may exercise over the nature of things the authority which properly belongs to it.

It seems to me that men do not rightly understand either their store or their strength, but overrate the one and underrate the other. Hence it follows, that either from an extravagant estimate of the value of the arts which they possess, they seek no further; or else from too mean an estimate of their own powers, they spend their strength in small matters and never put it fairly to the trial in those which go to the main. These are as the pillars of fate set in the path of knowledge; for men have neither desire nor hope to encourage them to penetrate further. And since opinion of store is one of the chief causes of want, and satisfaction with the present induces neglect of provision for the future, it becomes a thing not only useful, but absolutely necessary, that the excess of honour and admiration with which our existing stock of inventions is regarded be in the very entrance and threshold of the work, and that frankly and without circumlocution, stripped off, and men be duly warned not to exaggerate or make too much of them. For let a man look carefully into all that variety of books with which the arts and sciences abound, he will find everywhere endless repetitions of the same thing, varying in the method of treatment, but not new in substance, insomuch that the whole stock, numerous as it appears at first view, proves on examination to be but scanty. And for its value and utility it must be plainly avowed that that wisdom which we have derived principally from the Greeks is but like the boyhood of knowledge, and has the characteristic property of boys: it can talk, but it cannot generate; for it is fruitful of controversies but barren of works. So that the state of learning as it now is appears to be represented to the life in the old fable of Scylla, who had the head and face of a virgin, but her womb was hung round with barking monsters, from which she could not be delivered. For in like manner the sciences to which we are accustomed have certain general positions which are specious and flattering; but as soon as they come to particulars, which are as the parts of generation, when they should produce fruit and works, then arise contentions and barking disputations, which are the end of the matter and all the issue they can yield. Observe also, that if sciences of this kind had any life in them, that could never have come to pass which has been the case now

for many ages—that they stand almost at a stay, without receiving any augmentations worthy of the human race; insomuch that many times not only what was asserted once is asserted still, but what was a question once is a question still, and instead of being resolved by discussion is only fixed and fed; and all the tradition and succession of schools is still a succession of masters and scholars, not of inventors and those who bring to further perfection the things invented. In the mechanical arts we do not find it so; they, on the contrary, as having in them some breath of life, are continually growing and becoming more perfect. As originally invented they are commonly rude, clumsy, and shapeless; afterwards they acquire new powers and more commodious arrangements and constructions; in so far that men shall sooner leave the study and pursuit of them and turn to something else, than they arrive at the ultimate perfection of which they are capable. Philosophy and the intellectual sciences, on the contrary, stand like statues, worshipped and celebrated, but not moved or advanced. Nay, they sometimes flourish most in the hands of the first author, and afterwards degenerate. For when men have once made over their judgments to others' keeping, and (like those senators whom they called *Pedarii*¹) have agreed to support some one person's opinion, from that time they make no enlargement of the sciences themselves, but fall to the servile office of embellishing certain individual authors and increasing their retinue. And let it not be said that the sciences have been growing gradually till they have at last reached their full stature, and so (their course being completed) have settled in the works of a few writers; and there being now no room for the invention of better, all that remains is to embellish and cultivate those things which have been invented already. Would it were so! But the truth is that this appropriating of the sciences has its origin in nothing better than the confidence of a few persons and the sloth and indolence of the rest. For after the sciences had been in several parts perhaps cultivated and handled diligently, there has risen up some man of bold disposition, and famous for methods and short ways which people like, who has in appearance reduced them to an art, while he has in fact only spoiled all that the others had done. And yet this is what posterity like, because it makes the work short and easy, and saves further inquiry, of which they are weary and impatient. And if any one take this general acquiescence and consent for an argument of weight, as being the judgment of Time, let me tell him that the reasoning on which he relies is most fallacious and weak. For, first, we are far from knowing all that in the matter of sciences and arts has in various ages and places been brought to light and published; much less, all that has been

¹ [Roman senators not yet entered on the roll who had no vote of their own but could signify their assent to the vote of another.]

by private persons secretly attempted and stirred; so neither the births nor the miscarriages of Time are entered in our records. Nor, secondly, is the consent itself and the time it has continued a consideration of much worth. For however various are the forms of civil politics, there is but one form of polity in the sciences; and that always has been and always will be popular. Now the doctrines which find most favour with the populace are those which are either contentious and pugnacious, or specious and empty; such, I say, as either entangle assent or tickle it. And therefore no doubt the greatest wits in each successive age have been forced out of their own course; men of capacity and intellect above the vulgar having been fain, for reputation's sake, to bow to the judgment of the time and the multitude; and thus if any contemplations of a higher order took light anywhere, they were presently blown out by the winds of vulgar opinions. So that Time is like a river, which has brought down to us things light and puffed up, while those which are weighty and solid have sunk. Nay, those very authors who have usurped a kind of dictatorship in the sciences and taken upon them to lay down the law with such confidence, yet when from time to time they come to themselves again, they fall to complaints of the subtlety of nature, the hiding-places of truth, the obscurity of things, the entanglement of causes, the weakness of the human mind; wherein nevertheless they show themselves never the more modest, seeing that they will rather lay the blame upon the common condition of men and nature than upon themselves. And then whatever any art fails to attain, they ever set it down upon the authority of that art itself as impossible of attainment; and how can art be found guilty when it is judge in its own cause? So it is but a device for exempting ignorance from ignominy. Now for those things which are delivered and received, this is their condition: barren of works, full of questions; in point of enlargement slow and languid; carrying a show of perfection in the whole, but in the parts ill filled up; in selection popular, and unsatisfactory even to those who propound them; and therefore fenced round and set forth with sundry artifices. And if there be any who have determined to make trial for themselves, and put their own strength to the work of advancing the boundaries of the sciences, yet have they not ventured to cast themselves completely loose from received opinions or to seek their knowledge at the fountain; but they think they have done some great thing if they do but add and introduce into the existing sum of science something of their own; prudently considering with themselves that by making the addition they can assert their liberty, while they retain the credit of modesty by assenting to the rest. But these mediocrities and middle ways so much praised, in deferring to opinions and customs, turn to the great detriment of the sciences. For it is hardly possible at once to admire an author and to go

beyond him; knowledge being as water, which will not rise above the level from which it fell. Men of this kind, therefore, amend some things, but advance little; and improve the condition of knowledge, but do not extend its range. Some, indeed, there have been who have gone more boldly to work, and taking it all for an open matter and giving their genius full play, have made a passage for themselves and their own opinions by pulling down and demolishing former ones; and yet all their stir has but little advanced the matter; since their aim has been not to extend philosophy and the arts in substance and value, but only to change doctrines and transfer the kingdom of opinions to themselves; whereby little has indeed been gained, for though the error be the opposite of the other, the causes of erring are the same in both. And if there have been any who, not binding themselves either to other men's opinions or to their own, but loving liberty, have desired to engage others along with themselves in search, these, though honest in intention, have been weak in endeavour. For they have been content to follow probable reasons, and are carried round in a whirl of arguments, and in the promiscuous liberty of search have relaxed the severity of inquiry. There is none who has dwelt upon experience and the facts of nature as long as is necessary. Some there are indeed who have committed themselves to the waves of experience, and almost turned mechanics; yet these again have in their very experiments pursued a kind of wandering inquiry, without any regular system of operations. And besides they have mostly proposed to themselves certain petty tasks, taking it for a great matter to work out some single discovery;—a course of proceeding at once poor in aim and unskilful in design. For no man can rightly and successfully investigate the nature of anything in the thing itself; let him vary his experiments as laboriously as he will, he never comes to a resting-place, but still finds something to seek beyond. And there is another thing to be remembered; namely, that all industry in experimenting has begun with proposing to itself certain definite works to be accomplished, and has pursued them with premature and unseasonable eagerness; it has sought, I say, experiments of Fruit, not experiments of Light; not imitating the divine procedure, which in its first day's work created light only and assigned to it one entire day; on which day it produced no material work, but proceeded to that on the days following. As for those who have given the first place to Logic, supposing that the surest helps to the sciences were to be found in that, they have indeed most truly and excellently perceived that the human intellect left to its own course is not to be trusted; but then the remedy is altogether too weak for the disease; nor is it without evil in itself. For the Logic which is received, though it be very properly applied to civil business and to those arts which rest in discourse and opinion, is not nearly subtle enough to deal with nature; and in offering

at what it cannot master, has done more to establish and perpetuate error than to open the way to truth.

Upon the whole therefore, it seems that men have not been happy hitherto either in the trust which they have placed in others or in their own industry with regard to the sciences; especially as neither the demonstrations nor the experiments as yet known are much to be relied upon. But the universe to the eye of the human understanding is framed like a labyrinth; presenting as it does on every side so many ambiguities of way, such deceitful resemblances of objects and signs, natures so irregular in their lines, and so knotted and entangled. And then the way is still to be made by the uncertain light of the sense, sometimes shining out, sometimes clouded over, through the woods of experience and particulars; while those who offer themselves for guides are (as was said) themselves also puzzled, and increase the number of errors and wanderers. In circumstances so difficult neither the natural force of man's judgment nor even any accidental felicity offers any chance of success. No excellence of wit, no repetition of chance experiments, can overcome such difficulties as these. Our steps must be guided by a clue, and the whole way from the very first perception of the senses must be laid out upon a sure plan. Not that I would be understood to mean that nothing whatever has been done in so many ages by so great labours. We have no reason to be ashamed of the discoveries which have been made, and no doubt the ancients proved themselves in everything that turns on wit and abstract meditation, wonderful men. But as in former ages, when men sailed only by observation of the stars, they could indeed coast along the shores of the old continent or cross a few small and mediterranean seas; but before the ocean could be traversed and the new world discovered, the use of the mariner's needle, as a more faithful and certain guide, had to be found out; in like manner the discoveries which have been hitherto made in the arts and sciences are such as might be made by practice, meditation, observation, argumentation,—for they lay near to the senses, and immediately beneath common notions; but before we can reach the remoter and more hidden parts of nature, it is necessary that a more perfect use and application of the human mind and intellect be introduced.

For my own part at least, in obedience to the everlasting love of truth, I have committed myself to the uncertainties and difficulties and solitudes of the ways, and relying on the divine assistance have upheld my mind both against the shocks and embattled ranks of opinion, and against my own private and inward hesitations and scruples, and against the fogs and clouds of nature, and the phantoms flitting about on every side; in the hope of providing at last for the present and future generations guidance more faithful and secure. Wherein if I have made any progress, the way has been opened to me by no

other means than the true and legitimate humiliation of the human spirit. For all those who before me have applied themselves to the invention of arts have but cast a glance or two upon facts and examples and experience, and straightway proceeded, as if invention were nothing more than an exercise of thought, to invoke their own spirits to give them oracles. I, on the contrary, dwelling purely and constantly among the facts of nature, withdraw my intellect from them no further than may suffice to let the images and rays of natural objects meet in a point, as they do in the sense of vision; whence it follows that the strength and excellency of the wit has but little to do in the matter. And the same humility which I use in inventing I employ likewise in teaching. For I do not endeavour either by triumphs of confutation, or pleadings of antiquity, or assumption of authority, or even by the veil of obscurity, to invest these inventions of mine with any majesty; which might easily be done by one who sought to give lustre to his own name rather than light to other men's minds. I have not sought (*I say*) nor do I seek either to force or ensnare men's judgments, but I lead them to things themselves and the concordances of things, that they may see for themselves what they have, what they can dispute, what they can add and contribute to the common stock. And for myself, if in anything I have been either too credulous or too little awake and attentive, or if I have fallen off by the way and left the inquiry incomplete, nevertheless I so present these things naked and open, that my errors can be marked and set aside before the mass of knowledge be further infected by them; and it will be easy also for others to continue and carry on my labours. And by these means I suppose that I have established for ever a true and lawful marriage between the empirical and the rational faculty, the unkind and ill-starred divorce and separation of which has thrown into confusion all the affairs of the human family.

GALILEO GALILEI

GALILEO GALILEI (1564-1642), best known by his Christian name, was born at Pisa, the eldest son of a cultivated but impoverished Florentine noble, Vincenzo Galilei. As a youth Galileo showed an enthusiastic interest in literature and music and later for the mathematical sciences as well. He was finally permitted to prepare for a scientific career, although Vincenzo originally intended his son for a cloth merchant and then, as a compromise, for medicine. At twenty-six, Galileo was appointed professor of mathematics at the University of Pisa, where he had been a student. However, his heterodox opinions on physics and his sharp tongue did not suit an atmosphere dominated by traditional views; and in 1592 he gladly accepted a professorship at Padua, at that time under the control of cosmopolitan Venice. He remained at Padua for eighteen years, during which he achieved his most sensational triumphs.

For a time he continued to teach the Ptolemaic astronomy, although he had long been a convinced Copernican. Writing to Kepler in 1597 he said: "It is unfortunate that those who seek after truth and follow no false method are so rare. Many years ago I embraced the opinion of Copernicus, and, from this standpoint, I have been able to find the causes of many natural phenomena which are certainly inexplicable on the ordinary hypothesis. I have written down many principles and many refutations which, however, I have not dared to make known, as I have been deterred by the fate of our teacher Copernicus. He, it is true, won undying fame amongst some few, but amongst the multitude (there are so many fools in the world) he was only an object of scorn and laughter." But in 1609 he constructed a telescope for himself, with which he obtained startling confirmations of the new theory; he now proclaimed himself a Copernican publicly. His findings, published in 1610 in his *Sidereal Messenger*, included the discovery of Jupiter's moons (which he called the Medicean stars), the phases of Venus, and spots on the surface of the sun. Galileo had now seriously weakened the armor of the traditional cosmology.

In 1610 he accepted the post of mathematician at the court of the grand duke of Tuscany—a tactical error, since he thus became subject to the censorship of the Church. However, he was well received by Pope Paul V when he visited Rome in 1615 in order to explain his astronomical views. But the following year the College of the Inquisition declared the Copernican theory a heresy, placed Copernicus's *De Revolutionibus* on the Index, and decreed that the theory could be taught only as a mathematical fiction convenient for purposes of calculation. Galileo complied formally with this command but continued his researches, some of which, such as his studies on the comets and the tides, won him the enmity of influential ecclesiastical authorities. In 1632 he published his most brilliant literary work, the full title of which reads: *A Dialogue on Four Successive Days, in Which Are Discussed the Two Chief Systems of the World, the Ptolemaic and the Copernican, While the Philosophical and Physical Grounds for Each of Them Are Brought Forward without Any Decision Being Arrived at between Them* (called below the *Dialogue concerning the Two Great World-Systems*). But the force of his arguments for

the Copernican view made Galileo's real convictions evident to everyone, and his surface impartiality deceived no one. He was summoned to Rome and examined by the Holy Office (the Inquisition). The fact that his former friend Cardinal Barberini was now Pope Urban VIII did not help matters, for Urban suspected that it was he who served as the butt for Galileo's wit in the *Dialogue*. In any event, Galileo was compelled on his knees to abjure the Copernican views and to swear never in the future "to assert anything verbally, or in writing, which may give rise to a similar suspicion of me." He was also forbidden to teach and was forced into retirement at his estate in Arcetri, near Florence. Nevertheless, Galileo continued to write, in spite of his embittered feelings, his domestic sorrows, and the added affliction of blindness. In 1638 he published in Holland his most important work, the *Dialogues concerning Two New Sciences*, which contained the foundations upon which all subsequent work in dynamics was to be erected. He died four years later.

In spite of his public censure by the Church, Galileo did not believe that adherence to the Copernican doctrines (or for that matter to any well-established scientific theory) was incompatible with the religious teachings of Catholicism. He once confessed: "I do neither intend, nor pretend to gain to my self any fruit from my writings, that is not Pious and Catholick." For as he saw it, the Biblical writings did not have as their aim the disclosure of *physical* truths: "It being true that two Truths cannot be contrary to each other, it is the office of a Judicious Expositor to study to finde the true Senses of Sacred Texts, which undoubtedly shall accord with those Natural Conclusions, of which manifest Sense and Necessary Demonstrations had before made us sure and certain." Accordingly, he could defend the freedom to investigate nature, unhampered by ecclesiastical interference, with a clear conscience. He put the case for such a freedom in the strongest possible terms: "To command the very Professors of Astronomy, that they of themselves see to the confuting of their own Observations and Demonstrations, as those that can be no other but Falacies and Sophismes, is to enjoyn a thing beyond all possibility of doing: For it is not onely to command them that they do not see that which they see, and they do not understand that which they understand; but that in seeking, they find the contrary of that which they happen to meet with. . . . I would entreat these Wise and Prudent Fathers, that they would withal diligence consider the difference that is between Opinable and Demonstrative Doctrines: To the end, that well weighing in their minds with what force Necessary Illations oblige, they might the better ascertain themselves, that it is not the Power of the Professors of Demonstrative Sciences to change their Opinions at pleasure, and apply themselves one while to one side, and another while to another; and that there is a great difference between commanding a Mathematicitian or a Philosopher, and the disposing of a Lawyer or a Merchant; and that the demonstrated Conclusions touching the things of Nature and of the Heavens cannot be changed with the same facility, as the Opinions are touching what is lawful or not in a Contract, Bargain, or Bill of Exchange."

The first of the following selections is from *The Assayer* (*Il Saggiatore*), published in 1623 and banned in 1625; it was originally a series of letters to Virginio Cesarini, chamberlain to Pope Urban VIII. In *The Assayer* Galileo advances an analysis of natural objects in terms of a distinction between "primary qualities" and

the effects of these upon the living, perceiving creature. The former—"real qualities"—are the "objective," mathematically measurable constituents of the physical world; the latter have no objective existence outside of the sensing organism in which they are felt. Thus such qualities as taste, odor, and color, sometimes called "secondary qualities," are mere names and not traits belonging to physical bodies. This distinction was important in clarifying the specific subject matter of inquiry for the new science of nature. The "primary and real properties" of things—size, shape, and motion—were the materials for scientific investigation, not the sensory effects of these which, apart from our bodies, exist only as names. This form of analysis, from the ancient Greek philosopher Democritus (fifth century B.C.) to Galileo, and through Descartes and the British Empiricists, was enormously influential in portraying one version of the relation of the knowing mind to the natural objects of knowledge, of knowing to the known. From the seventeenth century to the present day it has been discussed, attacked, and defended within the general context of what has come to be called "the problem of knowledge."

In the second selection Galileo discusses a knotty problem which had very serious consequences in his own life: the relation of scientific findings to holy Scripture. He offers an ingenious if not altogether convincing method of reconciling scientific discovery with holy testimony. Galileo's great successor Isaac Newton, writing on the same problem, offered substantially the same argument and the interpretation that Scripture, in the literal truth of its words, "accommodates" itself to the understanding of the lay and uneducated mind of the "vulgar."

The final selection is taken from the First Dialogue of Galileo's *Dialogue concerning the Two Great World-Systems*. The discussion is carried on by three interlocutors: Salvatus and Sagredus, both protagonists of the Copernican theory and named after friends of Galileo; and Simplicius, a defender of the Aristotelian-Ptolemaic views, who is named after the famous Aristotelian commentator of the sixth century. This selection reveals Galileo's basic intellectual attitudes, as well as his brilliant style and wit. Affirming the unity and continuity of the terrestrial and celestial spheres, it prepares the ground for his views on dynamics, and for the fusion of the mathematical and experimental approaches in his method of investigation.

The three selections have been translated from the Italian and are taken from Vols. V-VII of Galileo's *Opere* (Florence, 1895-97).



THE ASSAYER

IN ACCORDANCE with the promise which I made to Your Excellency, I shall certainly state my ideas concerning the proposition "Motion is the cause of heat," explaining in what way it appears to me to be true. But first it will be necessary for me to say a few words concerning that which we call "heat," for

I strongly suspect that the commonly held conception of the matter is very far from the truth, inasmuch as heat is generally believed to be a true accident, affection, or quality which actually resides in the material which we feel to be heated.

Now, whenever I conceive of any material or corporeal substance, I am necessarily constrained to conceive of that substance as bounded and as possessing this or that shape, as large or small in relationship to some other body, as in this or that place during this or that time, as in motion or at rest, as in contact or not in contact with some other body, as being one, many, or few—and by no stretch of imagination can I conceive of any corporeal body apart from these conditions. But I do not at all feel myself compelled to conceive of bodies as necessarily conjoined with such further conditions as being red or white, bitter or sweet, having sound or being mute, or possessing a pleasant or unpleasant fragrance. On the contrary, were they not escorted by our physical senses, perhaps neither reason nor understanding would ever, by themselves, arrive at such notions. I think, therefore, that these tastes, odors, colors, etc., so far as their objective existence is concerned, are nothing but mere names for something which resides exclusively in our sensitive body (*corpo sensitivo*), so that if the perceiving creature were removed, all of these qualities would be annihilated and abolished from existence. But just because we have given special names to these qualities, different from the names we have given to the primary and real properties, we are tempted into believing that the former really and truly exist as well as the latter.

An example, I believe, will clearly explain my concept. Suppose I pass my hand, first over a marble statue, then over a living man. So far as the hand, considered in itself, is concerned, it will act in an identical way upon each of these objects; that is, the primary qualities of motion and contact will similarly affect the two objects, and we would use identical language to describe this in each case. But the living body, which I subject to this experiment, will feel itself affected in various ways, depending upon the part of the body I happen to touch; for example, should it be touched on the sole of the foot or the kneecap, or under the armpit, it will feel, in addition to simple contact, a further affection to which we have given a special name: we call it "tickling." This latter affection is altogether our own, and is not at all a property of the hand itself. And it seems to me that he would be gravely in error who would assert that the hand, in addition to movement and contact, intrinsically possesses another and different faculty which we might call the "tickling faculty," as though tickling were a resident property of the hand *per se*. Again, a piece of paper or a feather, when gently rubbed over any part of our body whatsoever, will in itself act everywhere in an identical way; it

will, namely, move and contact. But we, should we be touched between the eyes, on the tip of the nose, or under the nostrils, will feel an almost intolerable titillation—while if touched in other places, we will scarcely feel anything at all. Now this titillation is completely ours and not the feather's, so that if the living, sensing body were removed, nothing would remain of the titillation but an empty name. And I believe that many other qualities, such as taste, odor, color, and so on, often predicated of natural bodies, have a similar and no greater existence than this.

A solid body and, so to speak, one that is sufficiently heavy, when moved and applied against any part of my body whatsoever, will produce in me the sensation which we call "touch." Although this sense is to be found in every part of the body, it appears principally to reside in the palm of the hand, and even more so in the fingertips, with which we can feel the minutest differences of roughness, texture, and softness and hardness—differences which the other parts of the body are less capable of distinguishing. Some amongst these tactile sensations are more pleasing than others, depending upon the differences of configuration of tangible bodies; that is to say, in accordance with whether they are smooth or irregular, sharp or dull, flexible or rigid. And the sense of touch, being more material than the other senses and being produced by the mass of the material itself, seems to correspond to the element of earth.

Since certain material bodies are continually resolving themselves into tiny particles, some of the particles, because they are heavier than air, will descend; and some of them, because they are lighter than air, will ascend. From this, perhaps, two further senses are born, for certain of the particles penetrate two parts of our body which are effectively more sensitive than the skin, which is incapable of feeling the incursion of materials which are too fine, subtle, or flexible. The descending particles are received by the upper surface of the tongue, and penetrating, they blend with its substance and moisture. Thus our tastes are caused, pleasant or harsh in accordance with variations in the contact of diversely shaped particles, and depending upon whether they are few or many, and whether they have high or low velocity. Other particles ascend, and entering the nostrils they penetrate the various nodes (*mam-milule*) which are the instruments of smell; and these particles, in like manner through contact and motion, produce savoriness or unsavoriness—again depending upon whether the particles have this or that shape, high or low velocity, and whether they are many or few. It is remarkable how providently the tongue and nasal passages are situated and disposed, the former stretched beneath to receive the ingression of descending particles, and the latter so arranged as to receive those which ascend. The arrangement whereby the sense

of taste is excited in us is perhaps analogous to the way in which fluids descend through the air, and the stimulation of the sense of smell may be compared to the manner in which flames ascend in it.

There remains the element of air, which corresponds to the sense of sound. Sounds come to us indiscriminately, from above and below and from either side, since we are so constituted as to be equally disposed to every direction of the air's movement; and the ear is so situated as to accommodate itself in the highest possible degree to any position in space. Sounds, then, are produced in us and felt when (without any special quality of harmoniousness or dissonance) there is a rapid vibration of air, forming minutely small waves, which move certain cartilages of a certain drum which is in our ear. The various external ways in which this wave-motion of the air is produced are manifold, but can in large part be reduced to the vibrating of bodies which strike the air and form the waves which spread out with great velocity. High frequencies give rise to high tones; low frequencies give rise to low tones. But I cannot believe that there exists in external bodies anything, other than their size, shape, or motion (slow or rapid), which could excite in us our tastes, sounds, and odors. And indeed I should judge that, if ears, tongues, and noses be taken away, the number, shape, and motion of bodies would remain, but not their tastes, sounds, and odors. The latter, external to the living creature, I believe to be nothing but mere names, just as (a few lines back) I asserted tickling and titillation to be, if the armpit or the sensitive skin inside the nose were removed. As to the comparison between the four senses which we have mentioned and the four elements, I believe that the sense of sight, most excellent and noble of all the senses, is like light itself. It stands to the others in the same measure of comparative excellence as the finite stands to the infinite, the gradual to the instantaneous, the divisible to the indivisible, the darkness to the light. Of this sense, and all that pertains to it, I can pretend to understand but little; yet a great deal of time would not suffice for me to set forth even this little bit that I know, or (to put it more exactly) for me to sketch it out on paper. Therefore I shall ponder it in silence.

I return to my first proposition, having now shown how some affections, often reputed to be indwelling properties of some external body, have really no existence save in us, and apart from us are mere names. I confess myself to be very much inclined to believe that heat, too, is of this sort, and that those materials which produce and make felt in us the sense of heat and to which we give the general name "fire" consist of a multitude of tiny particles of such and such a shape, and having such and such a velocity. These, when they encounter our body, penetrate it by means of their extreme subtlety; and it is their contact, felt by us in their passage through our substance, which is

the affection we call "heat." It will be pleasantly warm or unpleasantly hot depending upon the number and the velocity (greater or lesser) of these pricking, penetrating particles—pleasant if by their penetration our necessary perspiring is facilitated, unpleasant if their penetrating effects too great a division and dissolution of our substance. In sum, the operation of fire, considered in itself, is nothing but movement, or the penetration of bodies by its extreme subtlety, quickly or slowly, depending upon the number and velocity of tiny corpuscles of flame (*ignicoli*) and upon the greater or lesser density of the bodies concerned. Many bodies dissolve in such a manner that the major part of them becomes transformed into further corpuscles of flame; and this dissolution continues as further dissolvable material is encountered. But that there exists in fire, apart from shape, number, movement, penetration, and contact, some further quality which we call "heat," I cannot believe. And I again judge that heat is altogether subjective, so that if the living, sensitive body be removed, what we call heat would be nothing but a simple word. Since it is the case that this affection is produced in us by passage of tiny corpuscles of flame through our substance and their contact with it, it is obvious that once this motion ceases, their operation upon us will be null. It is thus that we perceive that a quantity of fire, retained in the pores and pits of a piece of calcified stone, does not heat—even if we hold it in the palm of our hand—because the flame remains stationary in the stone. But should we swish the stone in water where, because of its weight, it has greater propensity for movement and where the pits of the stone open somewhat, the corpuscles of flame will escape and, encountering our hand, will penetrate it, so that we will feel heat. Since, in order for heat to be stimulated in us, the mere presence of corpuscles of flame is not by itself sufficient, and since movement is required in addition, it is with considerable reason that I declare motion to be the cause of heat.

This or that movement by which a scantling or other piece of wood is burned up or by which lead and other metals are melted will continue so long as the corpuscles of flame, moved either by their own velocity or (if this be insufficient) aided by a strong blast from a bellows, continue to penetrate the body in question; the former will resolve itself into further corpuscles of flame or into ash; the latter will liquify and be rendered fluid like water. From a common-sense point of view, to assert that that which moves a stone, piece of iron, or a stick, is what *heats* it, seems like an extreme vanity. But the friction produced when two hard bodies are rubbed together, which either reduces them to fine flying particles or permits the corpuscles of flame contained in them to escape, can finally be analyzed as motion. And the particles, when they encounter our body and penetrate and tear through it, are felt, in their

motion and contact, by the living creature, who thus feels those pleasant or unpleasant affections which we call "heat," "burning," or "scorching."

Perhaps while this pulverizing and attrition continue, and remain confined to the particles themselves, their motion will be temporary and their operation will be merely that of heating. But once we arrive at the point of ultimate and maximum dissolution into truly indivisible atoms, light itself may be created, with an instantaneous motion or (I should rather say) an instantaneous diffusion and expansion, capable—I do not know if by the atoms' subtlety, rarity, immateriality, or by different and as yet unspecifiable conditions—capable, I say, of filling vast spaces.

But I should not like, Your Excellency, inadvertently to engulf myself in an infinite ocean without the means to find my way back to port. Nor should I like, while removing one doubt, to give birth to a hundred more, as I fear might in part be the case even in this timid venture from shore. Therefore, I shall await a more opportune moment to re-embark.

*LETTER TO MADAME CRISTINA DI LORENA,
GRAND DUCHESS OF TUSCANY (1615)*

SOME years ago, as your Serene Highness well knows, I discovered many things in the heavens that had remained unseen until our own era. Perhaps because of their novelty, perhaps because of certain consequences which followed from them, these discoveries conflicted with certain propositions concerning nature which were commonly accepted by the philosophical schools. Hence no small number of professors became stirred up against me—almost as though I, with my own hand, had placed these things in heaven in order to disturb and obscure nature and the sciences. Displaying greater affection for their own opinions than for true ones, and, at the same time, forgetting that the multitude of truths contribute to inquiry by augmenting and establishing science, and not by diminishing and destroying it, these professors set about trying to deny and abolish these new discoveries. Although their very senses, had they seen fit to heed them attentively, would have rendered these things as certain, they nonetheless alleged various things and published various writings full of empty reasoning and containing—a still graver error—scattered testimonies from Holy Scripture. The latter were not only cited out of context, but had little to do with the matter at hand. . . .

Thus it is that these men persist in their primary objective, which is to try, by every means imaginable, to destroy me and all that is mine. They know that, in my astronomical and philosophical studies concerning the structure

of the world, I maintain that the Sun, without moving, remains stationary in the center of the revolution of celestial orbs; and that the Earth, turning about its own axis, revolves around the Sun as well. They are aware, moreover, that I proceed to confirm the above hypothesis (*posizione*), not simply by condemning the account of Ptolemy and Aristotle, but by bringing forward much conflicting evidence—in particular, certain natural effects, the causes of which cannot be explained in any other manner, and certain celestial effects, determined by the concordance of many new astronomical discoveries, which clearly confute the Ptolemaic system, and which admirably agree with and support the other hypothesis. Now, perhaps they are confused by the fact that certain other propositions, contrary to common opinion but affirmed by me, have been recognized as true. And thus unsure of their defenses on the battle-field of philosophy, they have sought to make a shield for their fallacious arguments out of the mantle of simulated piety and the authority of Scripture, applied by them with little intelligence to combat arguments which they have neither thought about nor understood. . . .

But who could with all certainty insist that the Scripture has chosen rigorously to confine itself to the strict and literal meaning of words when it speaks incidentally of the Earth, water, the Sun, and other creatures? And above all when it asserts something about these creatures which in no way touches upon the primary purpose of Holy Writ, which has to do with the service of God, the salvation of souls, and things far removed indeed from vulgar apprehension? Considering this, then, it seems to me that, when discussing natural problems, we ought to begin with sensory experience and logical demonstrations, and not with the authority of passages in Scripture. For both Nature and the Holy Scripture proceed alike from the Word of God, the latter being the dictate of the Holy Spirit, and the former being the utterly obedient executrix of Divine Law. Now, it is the case that Scripture finds it convenient, in order to accommodate itself to the understanding of everyone, to say many things which, from the bare meaning of the words it employs, differ in aspect from the absolute truth. But in just the opposite way, Nature is inexorable and immutable, never transcending the limits imposed upon her by law; and it is as though she feels no concern whether her deep reasons and hidden modes of operation shall ever be revealed to the understanding of humankind or not. From this it would seem that natural effects, either those which sensory experience sets before our eyes or those which are established by logical demonstration, ought never on any account to be called into question, much less condemned, on the basis of Scriptural passages whose words may appear to support a conflicting opinion. For not every Scriptural dictum is connected to conditions as severe as those which hold with respect

to effects of Nature; nor does God reveal Himself less excellently to us in the effects of Nature than He does in the sacred utterances of Scripture. It is this, perchance, that Tertullian meant when he wrote: *We conclude that God is first cognized in Nature, then recognized in Doctrine: in Nature through His works; in Doctrine through His word preached.* . . .

. I should judge that the authority of Scripture was intended principally to persuade men of certain articles and propositions which transcend the powers of human reason, and which could be made credible by no other science and by no means other than the very voice of the Holy Spirit. . . . But I do not feel it necessary to believe that God, Who gave us senses, reason, and intellect, should have wished us to postpone using these gifts; that He has somehow given us, by other means, the information which we can obtain with our own senses, reason, and intellect; nor that He should want us to deny the senses and reason when sensory experience and logical demonstration have revealed something to our eyes and minds! And above all I do not feel it necessary to believe this where a science [like astronomy] is concerned, only a tiny part of which is written about (and then in contradictory ways) in Scripture. . . .

Experience plainly indicated that, concerning the rest and motion of Sun and Earth, it was necessary for Scripture to assert what it did, in order that the popular capacity [for understanding] should be satisfied. For even in our own day, individuals far less rude still persist in the same opinion for reasons which, if they were well weighed and examined, would be found to be completely specious, and which experiment would show to be wholly false or altogether beside the point. Nor can we attempt to remove their ignorance, for they are incapable of grasping the contrary reasons, which depend upon the most delicate observations and the most subtle demonstrations, involving abstractions the comprehension of which demands a more vigorous imagination than they possess. And though the stability of the Sun and the motion of the Earth are more than certain and demonstrated to the wise, it is *nonetheless necessary, in order to maintain belief amongst the innumerable vulgar, to assert the contrary.* If a thousand ordinary men were interrogated on this matter, perhaps not a single one would be found who would not respond by saying that he thinks, and firmly believes, that the Sun moves and the Earth stands still. But such common popular assent must in no way be taken as an argument for the truth of what is being affirmed. For if we were to question the same men about the causes and motives which provide the basis for their belief, and then to contrast what they say with the experiments and reasons which lead a few to believe otherwise, we would find the former to have been persuaded by simple appearances and the shallowest and silliest objections, and the latter to have been persuaded by the

most substantial reasons. It is obvious, then, how necessary it was [for Scripture] to attribute motion to the Sun and stability to the Earth. It was necessary in order not to confuse the limited understanding of the vulgar, and in order not to render them obstinate and antagonistic, and in order that they should have faith in the principal doctrines which have altogether to do with Faith. And if this had to be done, it is not at all to be wondered at that it was done with such consummate wisdom in divine Scripture. . . .

DIALOGUE CONCERNING THE TWO GREAT WORLD-SYSTEMS

Simplicius. However perspicacious his genius may have been, Aristotle was not one to depend upon it more than seemed advisable; and in his philosophizing, he judged that sense-experience must be preferred to any argument whatsoever, fabricated by the mind of man. He said that whoever would deny his senses ought, as punishment, to be deprived of them. . . . So let us proceed to the specific reasons and the sensory experiences which (how well Aristotle put it!) must be preferred to what may be supplied by human reason.

Sagredo. What has been said, then, should enable us to consider which of the two general arguments, that of Aristotle or that of Salvius, has the greater probability. Aristotle's would persuade us that sublunary bodies are generable, corruptible, etc.; and that they are, therefore, different indeed from celestial bodies, which are impassible—that is to say, ingenerable, incorruptible, and so forth. . . . Salvius, who supposes that the integral parts of the world are arranged in a perfect order, . . . deems the Earth itself to be a celestial body, endowed with all the prerogatives which the latter possess. His argument, it seems to me, is much more in accord with things than Aristotle's. But be so good, *Simplicius*, as to produce all those particular reasons, experiments, and observations, natural as well as astronomical, on the basis of which others may remain persuaded that the Earth is different from celestial bodies, that it is immobile and located in the center of the world, and that it is otherwise prohibited from being as mobile as a planet like Jupiter or the Moon. And let *Salvius*, on his part, be kind enough to answer them, point for point.

Simp. Well, to begin with, here are two powerful demonstrations which prove the Earth to be altogether different from celestial bodies. First. Bodies which are generable, corruptible, alterable, etc., are different from those which are ingenerable, incorruptible, inalterable, etc. But the Earth is generable, corruptible, alterable, etc.; and heavenly bodies are not. Therefore, the Earth is different from heavenly bodies!

Sagr. With your first argument, you merely bring back to the table that which stood there all day long, and which we just eliminated a moment back.

Simp. Just a moment, sir! Listen to the rest of it, and you shall see how really different the two sorts of bodies are. In my first argument, the minor premise was set forth *a priori*. I should like now to prove it *a posteriori*—watch if they are not the same. Since the major premise is too obviously true, I shall prove the minor premise as follows. Sensory experience shows us how on Earth there is continual generation, corruption, and change. But neither our own senses, nor the records of antiquity, have ever once witnessed these as taking place in celestial bodies. Hence the heavens are inalterable and the Earth is alterable, etc.

I base my second argument on a principal and essential property. A body which is obscure and deprived of light is different from a luminous, resplendent body. The Earth is dark and without light, but the heavenly bodies are full of light and brilliant. Therefore, they are different. Answer these arguments first, before we accumulate too many, and then I shall bring forward some others.

Salvatus. As to the first one, the force of which you derive from experience, I should like you to produce for me more distinctly those alterations which you see taking place on Earth but not in the heavens, and on the basis of which you claim Earth to be alterable and the heavens not.

Simp. I see on Earth the continual generation and decay of animals and plants; and I see the rising up of winds and rains, storms and tempests. In sum, the face of the Earth is in perpetual metamorphosis. Yet none of these mutations is to be discerned in celestial bodies: *their* constitutions and configurations exactly conform to what they have been from time immemorial, with neither the generation of anything new, nor the corruption of anything old.

Salv. But, if you rest content with these visible things, or rather, to express myself more clearly, with what you have experienced, it would be necessary for you to call China and America heavenly bodies. For surely, you have never observed in them those alterations which you have seen here in Italy. So if it is a question of your apprehension of them, America and China are inalterable.

Simp. Of course, I have never seen such alterations in those places with my senses: but I have heard unquestionable reports of them. Besides, part and whole have the same nature; and since those countries are as much a part of the Earth as Italy is, they must necessarily be as alterable as Italy.

Salv. Why is it, though, that you are reduced to placing faith in other men's reports? Why can't you, with your own eyes, observe and witness what takes place there?

Simp. Because those countries are not exposed to my eyes. Besides, they are so remote that our vision cannot come to comprehend similar mutations there.

Salv. Look how you have discovered the fallacy of your own argument unintentionally! For if you assert that changes, which may be seen in parts of the Earth near to us, cannot, because of the great distance, be discerned in America, how much less could we discern them in the Moon, which is many hundred times more distant! And if you believe that there are changes which take place in Mexico on the basis of reports which have come from there, what reports have come from the Moon to signify that there are no alterations there? Now, simply because you have never seen any alterations in the heavens (owing to the great distance), and because you have never heard reports of any (since there are none), you ought not to argue that there are in fact no alterations in Heaven. It is not the same thing as arguing that alterations exist on Earth from your having seen and understood them. You can well argue that.

Simp. I shall show you mutations which have taken place on Earth which are so vast that, if similar mutations had taken place on the Moon, they would have been observed from here below. We know, from the most antique records, that in the Straits of Gibraltar, Abile and Calpe were once connected; and that they, together with smaller mountains, held back the sea. But, from some cause or other, these mountains were separated. Thus an opening was made for the waters of the sea, which flowed in to such an extent that our entire Mediterranean Sea was formed. If we but consider the size of that sea, and how different the aspect of land and water must now appear if seen from afar, there can be no doubt that such a mutation would have been observable to someone then in the Moon. A similar alteration, had it taken place in the Moon, would have to be perceivable to us inhabitants of the Earth. Yet there is no record of any such thing having ever been seen there; and there remains, then, no basis for challenging our ability to claim that no celestial body is alterable, and so on.

Salv. I would not be so audacious as to declare that such vast mutations have taken place in the Moon; but I am not at all sure that they *could* not have occurred. Such a mutation would be represented only by some variation between the light and dark parts of the Moon, and I do not know if there are, on Earth, careful moon-specialists who, over a long sequence of years, have gathered information exact enough to convince us that no such mutation has ever occurred on the Moon's surface. I have not yet been able to gather very detailed descriptions of the configuration of the Moon. Some say it represents a human face. Others say it is like the muzzle of a lion, and still others maintain that it is Cain, with a bundle of thorns on his back. So, to assert that "Heaven is inalterable because the alterations discerned on Earth are not dis-

cernible in the Moon or in other celestial bodies" is to prove nothing at all.

Sagr. There still remains in my mind some vague doubt concerning Simplicius's first argument, and I would like to have it removed. So I should want to ask whether the Earth was generable and corruptible before the Mediterranean inundation, or whether it only became so afterwards?

Simp. There is no doubt that it was generable and corruptible even before. That was only a vast mutation which could have been observed from the Moon.

Sagr. Ah, but if the Earth, even before that inundation, was generable and corruptible, why cannot the Moon be so as well, even though there has been no similar mutation there? Why should that which made no difference in the Earth necessarily make any difference in the Moon?

Salv. A very clever point. But I suspect that Simplicius has somewhat altered the meaning of the texts of Aristotle and the other Peripatetics. For they declare and maintain that the heavens are inalterable because the generation and corruption of no star has ever been seen. Yet a star is a lesser part of heaven than a city is of Earth; and countless cities have been destroyed in such a manner that no vestige of them now remains.

Sagr. I certainly disagree with you: I thought that Simplicius twisted his exposition of the text in order not to burden his Master and his fellow disciples with a still more distorted notion. But how silly to say "the heavens are inalterable because no stars are generated or destroyed there!" Indeed! Has anyone ever seen a *terrestrial* globe corrupted and another one regenerated? And is it not accepted by all philosophers that there be few stars in heaven smaller than the Earth, and a great, great many much larger than the Earth? The corruption of a star in heaven would surely not be a smaller event than the destruction of the whole terrestrial globe. So if, in order truly to introduce generability and corruptibility into the universe, it is necessary that bodies as vast as stars be destroyed and regenerated, you may as well forget the whole idea. For I assure you, the destruction neither of the terrestrial globe nor of any body which is an integral part of the world will ever be seen. As though, after having been observed for several centuries in a row, these bodies should dissolve in such a way as to leave no trace behind!

Salv. But to give superabundant satisfaction to Simplicius and to disabuse him, if possible, of error, I say that we have in our century such new events and discoveries that Aristotle, were he alive today, would change his opinions. That he would do so may be gathered from his own manner of philosophizing. Thus, when he writes that he deems the heavens to be inalterable, etc., because neither the generation of any new thing nor the corruption of any old thing has ever been seen there, he seems implicitly to leave it understood that if he should see such an event he would assert the contrary; and that he would

prefer, as is proper, sensory experience to natural reason. For had he not wished to value his senses, he would never have argued that the heavens are inalterable from the fact that he had never, with his senses, seen any change there.

Simp. Aristotle bases his principle fundamentally on a *a priori* argument, showing that, from his own principles of nature, the inalterability of the heavens necessarily follows and is manifestly and clearly the case. Afterwards he establishes the same proposition *a posteriori*, *i.e.*, by means of the senses and by means of the traditions of antiquity.

Salv. What you are speaking about is the method he used to write down his doctrine; but I still do not believe that he used the same method in his actual inquiries. I feel certain that he first procured what observations and experiments he could by means of the senses, in order, wherever possible, to be sure of his conclusions. Afterwards he would have sought out the means by which to demonstrate them; this is common practice in the demonstrative sciences. The reason for the latter step is as follows: when our conclusion is true we can, with the analytic method, easily connect it with certain already demonstrated propositions or with principles already known *per se* to be true. But if the conclusion is false, we might proceed to infinity without ever connecting it with any known truth, but only with propositions either known to be false or else impossible or patently absurd. . . . But even if it were the case that, in Aristotle's procedure, a *a priori* argument preceded a *a posteriori* sensation, instead of conversely, it is sufficient that Aristotle himself preferred—as has often been said—the experience of his senses to all argumentation. Besides, we have already examined how much force your *a priori* arguments possess.

Now to return to the matter at hand. I assert that the things discovered in the skies during our own era have been, and are, such as to give sufficient satisfaction to any philosopher. For in individual bodies, and throughout the entire expanse of heaven, we have seen and we continue to see happenings which are similar to what is called amongst us generation and corruption. Many excellent astronomers have observed the generation and destruction of many comets in regions high above the Moon's sphere. Furthermore, there are the two new stars of 1572 and 1604: without contradiction, they are high above all the planets. And thanks to the telescope, dense and dark materials, similar to fogs over the Earth, may be seen produced and dissolved across the very face of the Sun. And these [spots] are so vast that they are not merely larger than your Mediterranean Sea, but all of Africa and Asia as well! Now, if Aristotle were to see all this, Simplicius, what do you believe he would say and how do you think he would act? . . .

Sagr. Those who have wished to make human capacity for understanding the measure of what Nature knows and can do, have always struck me as extraordinarily brash. On the contrary, the most speculative spirit cannot fully comprehend any natural effect, however small it be. The vain presumption that everything is understood can come only from having understood nothing at all. For if someone were to have experienced perfect knowledge of just one thing, and to have truly tasted what knowledge is made of, he would recognize that he has not understood even one of all the infinitely many other things.

Salv. Your argument is quite conclusive indeed; and for confirmation we have the experience of those who understand, or have understood, some thing. The more knowledge they possess, the more they recognize and freely confess themselves to know little. He whom the oracle pronounced to be the wisest of the Greeks, openly declared that he was aware that he knew nothing.

Simp. If Socrates declared himself to be the most ignorant while the oracle declared him to be the wisest, then I must point out that either Socrates or the oracle was a liar.

Salv. Neither conclusion follows, for both statements could be true. The oracle judged Socrates to be wise above all other men, whose wisdom is limited. Socrates claimed to know nothing with respect to absolute knowledge, which is infinite. With respect to infinity, any finite thing, be it large or small, is as nothing (to arrive at infinity, for example, it does not matter whether we add together thousands, tens, or units). Socrates understood well enough that the extent of his wisdom was nothing in comparison with the infinite wisdom which he lacked. Still, since there is some wisdom found in men, and this not equally distributed amongst all, Socrates could have had a greater share than all the others, and the response of the oracle would thence be verified.

Sagr. I seem to understand that point very well. Amongst men, Simplicius, there is the power to act, but it is not shared equally by all. There is no doubt that the power of an emperor is far greater than that of an ordinary person—but neither the one nor the other counts as anything in comparison with divine omnipotence. Amongst men, we find some who understand agriculture better than most others do. But to know how to plant a grape-seed in a hole—what has that to do with knowing how to make it take root, or how to draw nourishment to it, or how to select this part as good for making leaves, that for the vines, another for the clusters, another for the grapes, another for the skins! These are the workings of Nature, in all her wisdom. And yet this is only one of all the innumerable things which Nature does; and in just this one thing, we

may recognize infinite wisdom. Can we not conclude that divine wisdom is infinitely infinite?

Salv. Here is another example. Would we not say that the knowledge of how to discover a beautiful statue in a piece of marble has raised the genius of Michelangelo high, high above the common wit of other men? And his work is only the imitation of a single pose and disposition of the outside parts of the external members of an immobile man. What is this, though, compared to a man made by Nature, composed of all the external and internal members, all the muscles, tendons, nerves, and bones which serve so many different motions? And what shall we say of the senses, the will, and the intellect? Can we not with good reason say that the fabrication of a statue, by an interval of infinity, falls short of the formation not only of a living man, but even of the vilest worm? . . .

Simp. Either I am not a man who understands, or else your discourse is manifestly inconsistent. You reckon understanding to be one of the greatest gifts—if not, indeed, the greatest—which have been given to man who is made by Nature. But a moment ago, you said of Socrates that his understanding was as nothing. So you must say that Nature has not understood how to make an understanding that understands!

Salv. Very sharply put! And in order to reply to your objection, I must have recourse to a philosophical distinction. Now, understanding may be interpreted in two different ways, *intensively* and *extensively*. Extensively, that is to say, with respect to the infinite number of intelligible things, the human understanding is as nothing. Even if it well understood a thousand propositions, a thousand is like zero in comparison with infinity. But intensively, that is to say, in terms of knowing some one thing perfectly, I assert that there are some propositions of which the human understanding is as absolutely certain as Nature is. I mean the sciences of pure mathematics—geometry and arithmetic. The divine intellect may well know infinitely more such propositions than we, because it knows them all. But of those few that the human intellect does know, I believe our knowledge is equal to divine knowledge, so far as objective certainty is concerned. For we have come to understand the necessity of these propositions, and there can be no greater certainty than that.

Simp. This appears very bold to me, very rash.

Salv. These are common notions and are far from being tainted by audacity or presumptuousness. Nor do they in any way detract from the majesty of divine wisdom, any more than it would diminish God's omnipotence to assert that He cannot undo what has once been done. But I suspect, Simplicius, that you take umbrage at my words because, as you hear them, you feel them

to be somewhat equivocal. Therefore, in order better to express myself, I shall say that the truth which mathematical demonstration gives us is the same truth that divine wisdom apprehends. I grant you that the manner in which God knows the infinity of propositions is utterly more excellent than is the manner by means of which we know the few that we do. We proceed by argumentation, and advance from conclusion to conclusion, while God [apprehends] through a simple, sudden intuition. . . . To conclude, then, the manner and number of propositions known to human intellect is infinitely surpassed by divine intellect. Nonetheless, I would not dishonor it. For when I consider how many, and how marvelous, are the things that human intellect has understood, discovered, and invented, I clearly know and do acknowledge that the mind of man is the work of God. And that is one of His most excellent ones.

RENÉ DESCARTES

THE BEGINNINGS of modern philosophy have been frequently dated from the writings of René Descartes (1596-1650), although the claim that he initiated the characteristic trends of modern thought is not well founded. There can be little question, however, that Descartes was the seventeenth century's most authoritative and influential philosophic spokesman for the rapidly developing mathematical sciences of nature. He was born at La Haye in Touraine, France, of a noble family. He received a solid foundation in scholastic modes of thought at the excellent Jesuit College of La Flèche; but he also prepared himself for his subsequent career by an early devotion to mathematics. After completing his formal education he spent several years in secluded study, and then, in order to see something of the world at first hand, he joined the army of Prince Maurice of Nassau and later that of the elector of Bavaria.

In 1619, while in winter quarters with the elector's army, Descartes underwent a spiritual crisis in which, according to his own words, "when filled with enthusiasm, I discovered the foundations of a wonderful science." This experience supplied him with the clues for fusing geometry and algebra into a unified discipline and for a universal mathematics of nature. After arranging his financial affairs to provide him with a comfortable income, he settled in Holland in 1629 in order to work out the details of his universal mathematics.

In Holland, Descartes found not only seclusion but also an intellectual atmosphere relatively free from bigotry. He completed a book on cosmogony, his *Le Monde* (*The Universe*), in which he conceived the cosmic order to be created out of an initial chaos according to mechanical laws. However, the Church's condemnation of Galileo's defense of the Copernican theory led Descartes to suppress his work until he could devise a cosmology in formal agreement with the decrees of Rome. He finally succeeded in developing his theory of vortices, according to which the earth and the planets are swept around the sun by a swirling matter filling the universe; Descartes was thus able to maintain that the earth is at rest—relative to the immediately contiguous medium which drags it along.

Descartes's ideas on the proper method of philosophy and science were known to his friends and correspondents, even though he published nothing, and his doctrines were taught and discussed long before an authoritative statement was available from his pen. At last, under strong pressure from his friends, he published four essays in 1637. The first, his *Discourse on the Method of Rightly Conducting the Reason and Seeking for Truth in the Sciences*, outlined the essentials of his philosophy, while the other three, the *Dioptrics*, the *Meteors*, and the *Geometry*, were intended to illustrate the power of his method in a concrete manner. In spite of Descartes's attempt to conciliate ecclesiastical authorities by withholding publication of his systematic cosmology, his views were bitterly attacked by both Catholic and Protestant theologians as leading to skeptical unbelief and atheism. A fuller account of his ideas was made public in his *Meditations* (1640) and even more systematically in his *Principles of Philosophy* (1644). Descartes's international

reputation was now firmly established; indeed, the *Meditations* appeared shortly in a second edition with a supplement containing objections from outstanding contemporary thinkers (including Arnauld, Gassendi, and Hobbes) and Descartes's replies to them. He found devoted followers throughout Europe, and Cartesianism became a fashionable doctrine. He carried on an active correspondence with royalty, and his *Passions of the Soul* (1649), his chief work on psychology and ethics, grew out of discussions with Princess Elizabeth, daughter of the Bohemian king. At the invitation of Queen Christina of Sweden, he went to Stockholm to give her personal instruction in his philosophy; but he found "the land of bears, ice, and rocks" too harsh for his health, and he died within a year of his arrival.

Descartes's philosophy is an expression of the assumptions and aims of the mathematical sciences of nature as these were then understood; but it is also an attempt to find room for the values and doctrines of Christianity in a universe conceived to be thoroughly subject to mechanical principles. There is no good reason to suppose that Descartes was insincere in his professions of loyalty and devotion to the Catholic Church; and there is every reason to believe that in spite of his espousal of the new science he retained the theological assumptions he acquired in his youth at La Flèche. He had a consuming but judicious enthusiasm for mathematics and its method; and he confessed that the kind of certainty one can obtain in this discipline is the only kind that is ultimately satisfying. His rules of method were therefore modeled upon the method he saw cultivated in mathematics: we must begin with simple notions that are logically clear and evident to the mind, and we must accept as reliable only those beliefs which are derived deductively from such intuitively evident principles. Sound philosophy must in consequence cultivate methodical doubt and must permit nothing to enter the system of the sciences which is not clearly indubitable. Descartes subjected his own beliefs to such systematic doubt and finally discovered one unshakable foundation upon which to build. He found that, although he could doubt everything else, he could not, without self-contradiction, doubt that he was doubting and thinking and, in consequence, doubt his own existence. He formulated this ultimate truth as "I think, therefore I am"; and with it as a premise he constructed proofs of God's existence and of other theological doctrines which God's existence implies. But he believed that his argument also showed that matter and spirit are two radically incommensurable dimensions of being; and he drew the consequence that while the spiritual realm is the proper subject matter for theology, the realm of matter or extension is completely subject to mathematical, mechanical laws.

In consequence, Descartes's philosophy had a great appeal for his contemporaries. It provided them with an apparently infallible method for achieving certainty. It gave full scope for the application of mathematical methods to all domains of material existence. And it supplied a plausible distinction on the strength of which matters of religious interest could be exempted from the dominion of a universal mechanics. Descartes could profess his Catholicism without hypocrisy and at the same time he could boast "Give me extension and motion and I will construct the world." But the Church was not convinced that his philosophy presented no dangers, and Descartes's writings were placed on the Index in 1663.

Descartes's conception of his universal mathematics made it applicable not only

to inorganic materials but also to biological and psychological phenomena. He stimulated the further application of mathematical methods to phases of nature not previously investigated in that manner. And this aspect of Descartes's influence was to prove of crucial importance for the sciences of man and society.

The following selections are from the John Veitch translation of the *Discourse on Method* (Chicago, Open Court, 1908), which was taken from the original French and collated with the subsequent Latin version. They describe Descartes's intellectual development, the essential features of his method, and his attempt to supply a mechanical explanation for physiological facts.



DISCOURSE ON METHOD

Part I

GOOD SENSE is, of all things among men, the most equally distributed; for every one thinks himself so abundantly provided with it, that those even who are the most difficult to satisfy in everything else, do not usually desire a larger measure of this quality than they already possess. And in this it is not likely that all are mistaken: the conviction is rather to be held as testifying that the power of judging aright and of distinguishing Truth from Error, which is properly what is called Good Sense or Reason, is by nature equal in all men; and that the diversity of our opinions, consequently, does not arise from some being endowed with a larger share of Reason than others, but solely from this, that we conduct our thoughts along different ways, and do not fix our attention on the same objects. For to be possessed of a vigorous mind is not enough; the prime requisite is rightly to apply it. The greatest minds, as they are capable of the highest excellencies, are open likewise to the greatest aberrations; and those who travel very slowly may yet make far greater progress, provided they keep always to the straight road, than those who, while they run, forsake it.

For myself, I have never fancied my mind to be in any respect more perfect than those of the generality; on the contrary, I have often wished that I were equal to some others in promptitude of thought, or in clearness and distinctness of imagination, or in fulness and readiness of memory. And besides these, I know of no other qualities that contribute to the perfection of the mind; for as to the Reason or Sense, inasmuch as it is that alone which constitutes us men, and distinguishes us from the brutes, I am disposed to believe that it is to be found complete in each individual; and on this point to adopt the common

opinion of philosophers, who say that the difference of greater and less holds only among the *accidents*, and not among the *forms* or *natures* of *individuals* of the same *species*.

I will not hesitate, however, to avow my belief that it has been my singular good fortune to have very early in life fallen in with certain tracks which have conducted me to considerations and maxims, of which I have formed a Method that gives me the means, as I think, of gradually augmenting my knowledge, and of raising it by little and little to the highest point which the mediocrity of my talents and the brief duration of my life will permit me to reach. For I have already reaped from it such fruits that, although I have been accustomed to think lowly enough of myself, and although when I look with the eye of a philosopher at the varied courses and pursuits of mankind at large, I find scarcely one which does not appear vain and useless, I nevertheless derive the highest satisfaction from the progress I conceive myself to have already made in the search after truth, and cannot help entertaining such expectations of the future as to believe that if, among the occupations of men as men, there is any one really excellent and important, it is that which I have chosen.

After all, it is possible I may be mistaken; and it is but a little copper and glass, perhaps, that I take for gold and diamonds. I know how very liable we are to delusion in what relates to ourselves, and also how much the judgments of our friends are to be suspected when given in our favour. But I shall endeavour in this Discourse to describe the paths I have followed, and to delineate my life as in a picture, in order that each one may be able to judge of them for himself, and that in the general opinion entertained of them, as gathered from current report, I myself may have a new help towards instruction to be added to those I have been in the habit of employing.

My present design, then, is not to teach the Method which each ought to follow for the right conduct of his reason, but solely to describe the way in which I have endeavoured to conduct my own. They who set themselves to give precepts must of course regard themselves as possessed of greater skill than those to whom they prescribe; and if they err in the slightest particular, they subject themselves to censure. But as this Tract is put forth merely as a history, or, if you will, as a tale, in which, amid some examples worthy of imitation, there will be found, perhaps, as many more which it were advisable not to follow, I hope it will prove useful to some without being hurtful to any, and that my openness will find some favour with all.

From my childhood, I have been familiar with letters; and as I was given to believe that by their help a clear and certain knowledge of all that is useful in life might be acquired, I was ardently desirous of instruction. But as soon as I had finished the entire course of study, at the close of which it is customary

to be admitted into the order of the learned, I completely changed my opinion. For I found myself involved in so many doubts and errors, that I was convinced I had advanced no farther in all my attempts at learning, than the discovery at every turn of my own ignorance. And yet I was studying in one of the most celebrated Schools in Europe, in which I thought there must be learned men, if such were anywhere to be found. I had been taught all that others learned there; and not contented with the sciences actually taught us, I had, in addition, read all the books that had fallen into my hands, treating of such branches as are esteemed the most curious and rare. I knew the judgment which others had formed of me; and I did not find that I was considered inferior to my fellows, although there were among them some who were already marked out to fill the places of our instructors. And, in fine, our age appeared to me as flourishing, and as fertile in powerful minds as any preceding one. I was thus led to take the liberty of judging of all other men by myself, and of concluding that there was no science in existence that was of such a nature as I had previously been given to believe.

I still continued, however, to hold in esteem the studies of the Schools. I was aware that Languages taught in them are necessary to the understanding of the writings of the ancients; that the grace of Fable stirs the mind; that the memorable deeds of History elevate it; and, if read with discretion, aid in forming the judgment; that the perusal of all excellent books is, as it were, to interview with the noblest men of past ages, who have written them, and even a studied interview, in which are discovered to us only their choicest thoughts; that Eloquence has incomparable force and beauty; that Poesy has its ravishing graces and delights; that in the Mathematics there are many refined discoveries eminently suited to gratify the inquisitive, as well as further all the arts and lessen the labour of man; that numerous highly useful precepts and exhortations to virtue are contained in treatises on Morals; that Theology points out the path to heaven; that Philosophy affords the means of discoursing with an appearance of truth on all matters, and commands the admiration of the more simple; that Jurisprudence, Medicine, and the other Sciences, secure for their cultivators honours and riches; and, in fine, that it is useful to bestow some attention upon all, even upon those abounding the most in superstition and error, that we may be in a position to determine their real value, and guard against being deceived.

But I believed that I had already given sufficient time to Languages, and likewise to the reading of the writings of the ancients, to their Histories and Fables. For to hold converse with those of other ages and to travel, are almost the same thing. It is useful to know something of the manners of different nations, that we may be able to form a more correct judgment regarding our

own, and be prevented from thinking that everything contrary to our customs is ridiculous and irrational,—a conclusion usually come to by those whose experience has been limited to their own country. On the other hand, when too much time is occupied in travelling, we become strangers to our native country; and the over curious in the customs of the past are generally ignorant of those of the present. Besides, fictitious narratives lead us to imagine the possibility of many events that are impossible; and even the most faithful histories, if they do not wholly misrepresent matters, or exaggerate their importance to render the account of them more worthy of perusal, omit, at least, almost always the meanest and least striking of the attendant circumstances; hence it happens that the remainder does not represent the truth, and that such as regulate their conduct by examples drawn from this source, are apt to fall into the extravagances of the knight-errants of Romance, and to entertain projects that exceed their powers.

I esteemed Eloquence highly, and was in raptures with Poesy; but I thought that both were gifts of nature rather than fruits of study. Those in whom the faculty of Reason is predominant, and who most skilfully dispose their thoughts with a view to render them clear and intelligible, are always the best able to persuade others of the truth of what they lay down, though they should speak only in the language of Lower Brittany, and be wholly ignorant of the rules of Rhetoric; and those whose minds are stored with the most agreeable fancies, and who can give expression to them with the greatest embellishment and harmony, are still the best poets, though unacquainted with the Art of Poetry.

I was especially delighted with the Mathematics, on account of the certitude and evidence of their reasonings: but I had not as yet a precise knowledge of their true use; and thinking that they but contributed to the advancement of the mechanical arts, I was astonished that foundations, so strong and solid, should have had no loftier superstructure reared on them. On the other hand, I compared the disquisitions of the ancient Moralists to very towering and magnificent palaces with no better foundation than sand and mud: they laud the virtues very highly, and exhibit them as estimable far above anything on earth; but they give us no adequate criterion of virtue, and frequently that which they designate with so fine a name is but apathy, or pride, or despair, or parricide.

I revered our Theology, and aspired as much as any one to reach heaven: but being given assuredly to understand that the way is not less open to the most ignorant than to the most learned, and that the revealed truths which lead to heaven are above our comprehension, I did not presume to subject

them to the impotency of my Reason; and I thought that in order competently to undertake their examination, there was need of some special help from heaven, and of being more than man.

Of Philosophy I will say nothing, except that when I saw that it had been cultivated for many ages by the most distinguished men, and that yet there is not a single matter within its sphere which is not still in dispute, and nothing, therefore, which is above doubt, I did not presume to anticipate that my success would be greater in it than that of others; and further, when I considered the number of conflicting opinions touching a single matter that may be upheld by learned men, while there can be but one true, I reckoned as well-nigh false all that was only probable.

As to the other Sciences, inasmuch as these borrow their principles from Philosophy, I judged that no solid superstructures could be reared on foundations so infirm; and neither the honour nor the gain held out by them was sufficient to determine me to their cultivation: for I was not, thank heaven, in a condition which compelled me to make merchandise of Science for the bettering of my fortune; and though I might not profess to scorn glory as a Cynic, I yet made very slight account of that honour which I hoped to acquire only through fictitious titles. And, in fine, of false Sciences I thought I knew the worth sufficiently to escape being deceived by the professions of an alchemist, the predictions of an astrologer, the impostures of a magician, or by the artifices and boasting of any of those who profess to know things of which they are ignorant.

For these reasons, as soon as my age permitted me to pass from under the control of my instructors, I entirely abandoned the study of letters, and resolved no longer to seek any other science than the knowledge of myself, or of the great book of the world. I spent the remainder of my youth in travelling, in visiting courts and armies, in holding intercourse with men of different dispositions and ranks, in collecting varied experience, in proving myself in the different situations into which fortune threw me, and, above all, in making such reflection on the matter of my experience as to secure my improvement. For it occurred to me that I should find much more truth in the reasonings of each individual with reference to the affairs in which he is personally interested, and the issue of which must presently punish him if he has judged amiss, than in those conducted by a man of letters in his study, regarding speculative matters that are of no practical moment, and followed by no consequences to himself, farther, perhaps, than that they foster his vanity the better the more remote they are from common sense; requiring, as they must in this case, the exercise of greater ingenuity and art to render them probable. In addition, I

had always a most earnest desire to know how to distinguish the true from the false, in order that I might be able clearly to discriminate the right path in life, and proceed in it with confidence.

It is true that, while busied only in considering the manners of other men, I found here, too, scarce any ground for settled conviction, and remarked hardly less contradiction among them than in the opinions of the philosophers. So that the greatest advantage I derived from the study consisted in this, that, observing many things which, however extravagant and ridiculous to our apprehension, are yet by common consent received and approved by other great nations, I learned to entertain too decided a belief in regard to nothing of the truth of which I had been persuaded merely by example and custom: and thus I gradually extricated myself from many errors powerful enough to darken our Natural Intelligence, and incapacitate us in great measure from listening to Reason. But after I had been occupied several years in thus studying the book of the world, and in essaying to gather some experience, I at length resolved to make myself an object of study, and to employ all the powers of my mind in choosing the paths I ought to follow; an undertaking which was accompanied with greater success than it would have been had I never quitted my country or my books.

Part II

I was then in Germany, attracted thither by the wars in that country, which have not yet been brought to a termination; and as I was returning to the army from the coronation of the Emperor, the setting in of winter arrested me in a locality where, as I found no society to interest me, and was besides fortunately undisturbed by any cares or passions, I remained the whole day in seclusion, with full opportunity to occupy my attention with my own thoughts. Of these one of the very first that occurred to me was, that there is seldom so much perfection in works composed of many separate parts, upon which different hands have been employed, as in those completed by a single master. Thus it is observable that the buildings which a single architect has planned and executed, are generally more elegant and commodious than those which several have attempted to improve, by making old walls serve for purposes for which they were not originally built. Thus also, those ancient cities which, from being at first only villages, have become, in course of time, large towns, are usually but ill laid out compared with the regularly constructed towns which a professional architect has freely planned on an open plain; so that although the several buildings of the former may often equal or surpass in beauty those of the latter, yet when one observes their indiscriminate juxtaposition, there a

large one and here a small, and the consequent crookedness and irregularity of the streets, one is disposed to allege that chance rather than any human will guided by reason, must have led to such an arrangement. And if we consider that nevertheless there have been at all times certain officers whose duty it was to see that private buildings contributed to public ornament, the difficulty of reaching high perfection with but the materials of others to operate on, will be readily acknowledged. In the same way I fancied that those nations which, starting from a semi-barbarous state and advancing to civilisation by slow degrees, have had their laws successively determined, and, as it were, forced upon them simply by experience of the hurtfulness of particular crimes and disputes, would by this process come to be possessed of less perfect institutions than those which, from the commencement of their association as communities, have followed the appointments of some wise legislator. It is thus quite certain that the constitution of the true religion, the ordinances of which are derived from God, must be incomparably superior to that of every other. And, to speak of human affairs, I believe that the past preeminence of Sparta was due not to the goodness of each of its laws in particular, for many of these were very strange, and even opposed to good morals, but to the circumstance that, originated by a single individual, they all tended to a single end. In the same way I thought that the sciences contained in books (such of them at least as are made up of probable reasonings, without demonstrations), composed as they are of the opinions of many different individuals massed together, are farther removed from truth than the simple inferences which a man of good sense using his natural and unprejudiced judgment draws respecting the matters of his experience. And because we have all to pass through a state of infancy to manhood, and have been of necessity, for a length of time, governed by our desires and preceptors (whose dictates were frequently conflicting, while neither perhaps always counselled us for the best), I further concluded that it is almost impossible that our judgments can be so correct or solid as they would have been, had our Reason been mature from the moment of our birth, and had we always been guided by it alone.

It is true, however, that it is not customary to pull down all the houses of a town with a single design of rebuilding them differently, and thereby rendering the streets more handsome; but it often happens that a private individual takes down his own with the view of erecting it anew, and that people are even sometimes constrained to this when their houses are in danger of falling from age, or when the foundations are insecure. With this before me by way of example, I was persuaded that it would indeed be preposterous for a private individual to think of reforming a state by fundamentally changing it throughout, and overturning it in order to set it up amended; and the same I thought

was true of any similar project for reforming the body of the Sciences, or the order of teaching them established in the Schools: but as for the opinions which up to that time I had embraced, I thought that I could not do better than resolve at once to sweep them wholly away, that I might afterwards be in a position to admit either others more correct, or even perhaps the same when they had undergone the scrutiny of Reason. I firmly believed that in this way I should much better succeed in the conduct of my life, than if I built only upon old foundations, and leant upon principles which, in my youth, I had taken upon trust. For although I recognised various difficulties in this undertaking, these were not, however, without remedy, nor once to be compared with such as attend the slightest reformation in public affairs. Large bodies, if once overthrown, are with great difficulty set up again, or even kept erect when once seriously shaken, and the fall of such is always disastrous. Then if there are any imperfections in the constitutions of states (and that many such exist the diversity of constitutions is alone sufficient to assure us), custom has without doubt materially smoothed their inconveniences, and has even managed to steer altogether clear of, or insensibly corrected a number which sagacity could not have provided against with equal effect; and, in fine, the defects are almost always more tolerable than the change necessary for their removal; in the same manner that highways which wind among mountains, by being much frequented, become gradually so smooth and commodious, that it is much better to follow them than to seek a straighter path by climbing over the tops of rocks and descending to the bottoms of precipices.

Hence it is that I cannot in any degree approve of those restless and busy meddlers who, called neither by birth nor fortune to take part in the management of public affairs, are yet always projecting reforms; and if I thought that this Tract contained ought which might justify the suspicion that I was a victim of such folly, I would by no means permit its publication. I have never contemplated anything higher than the reformation of my own opinions, and basing them on a foundation wholly my own. And although my own satisfaction with my work has led me to present here a draft of it, I do not by any means therefore recommend to every one else to make a similar attempt. Those whom God has endowed with a larger measure of genius will entertain, perhaps, designs still more exalted; but for the many I am much afraid lest even the present undertaking be more than they can safely venture to imitate. The single design to strip one's self of all past beliefs is one that ought not to be taken by every one. The majority of men is composed of two classes, for neither of which would this be at all a befitting resolution: in the

first place, of those who with more than a due confidence in their own powers, are precipitate in their judgments and want the patience requisite for orderly and circumspect thinking; whence it happens, that if men of this class once take the liberty to doubt of their accustomed opinions, and quit the beaten highway, they will never be able to thread the byeway that would lead them by a shorter course, and will lose themselves and continue to wander for life; in the *second* place, of those who, possessed of sufficient sense or modesty to determine that there are others who excel them in the power of discriminating between truth and error, and by whom they may be instructed, ought rather to content themselves with the opinions of such than trust for more correct [opinions] to their own Reason.

For my own part, I should doubtless have belonged to the latter class, had I received instruction from but one master, or had I never known the diversities of opinion that from time immemorial have prevailed among men of the greatest learning. But I had become aware, even so early as during my college life, that no opinion, however absurd and incredible, can be imagined, which has not been maintained by some one of the philosophers; and afterwards in the course of my travels I remarked that all those whose opinions are decidedly repugnant to ours are not on that account barbarians and savages, but on the contrary that many of these nations make an equally good, if not a better, use of their Reason than we do. I took into account also the very different character which a person brought up from infancy in France or Germany exhibits, from that which, with the same mind originally, this individual would have possessed had he lived always among the Chinese or with savages, and the circumstance that in dress itself the fashion which pleased us ten years ago, and which may again, perhaps, be received into favour before ten years have gone, appears to us at this moment extravagant and ridiculous. I was thus led to infer that the ground of our opinions is far more custom and example than any certain knowledge. And, finally, although such be the ground of our opinions, I remarked that a plurality of suffrages is no guarantee of truth where it is at all of difficult discovery, as in such cases it is much more likely that it will be found by one than by many. I could, however, select from the crowd no one whose opinions seemed worthy of preference, and thus I found myself constrained, as it were, to use my own Reason in the conduct of my life.

But like one walking alone and in the dark, I resolved to proceed so slowly and with such circumspection, that if I did not advance far, I would at least guard against falling. I did not even choose to dismiss summarily any of the opinions that had crept into my belief without having been introduced by

Reason, but first of all took sufficient time carefully to satisfy myself of the general nature of the task I was setting myself, and ascertain the true Method by which to arrive at the knowledge of whatever lay within the compass of my powers.

Among the branches of Philosophy, I had, at an earlier period, given some attention to Logic, and among those of the Mathematics to Geometrical Analysis and Algebra,—three arts or Sciences which ought, as I conceived, to contribute something to my design. But, on examination, I found that, as for Logic, its syllogisms and the majority of its other precepts are of avail rather in the communication of what we already know, or even as the Art of Lully, in speaking without judgment of things of which we are ignorant, than in the investigation of the unknown; and although this Science contains indeed a number of correct and very excellent precepts, there are, nevertheless, so many others, and these either injurious or superfluous, mingled with the former, that it is almost quite as difficult to effect a severance of the true from the false as it is to extract a Diana or a Minerva from a rough block of marble. Then as to the Analysis of the ancients and the Algebra of the moderns, besides that they embrace only matters highly abstract, and, to appearance, of no use, the former is so exclusively restricted to the consideration of figures, that it can exercise the Understanding only on condition of greatly fatiguing the Imagination; and, in the latter, there is so complete a subjection to certain rules and formulas, that there results an art full of confusion and obscurity calculated to embarrass, instead of a science fitted to cultivate the mind. By these considerations I was induced to seek some other Method which would comprise the advantages of the three and be exempt from their defects. And as a multitude of laws often only hampers justice, so that a state is best governed when, with few laws, these are rigidly administered; in like manner, instead of the great number of precepts of which Logic is composed, I believed that the four following would prove perfectly sufficient for me, provided I took the firm and unwavering resolution never in a single instance to fail in observing them.

The *first* was never to accept anything for true which I did not clearly know to be such; that is to say, carefully to avoid precipitancy and prejudice, and to comprise nothing more in my judgment than what was presented to my mind so clearly and distinctly as to exclude all ground of doubt.

The *second*, to divide each of the difficulties under examination into as many parts as possible, and as might be necessary for its adequate solution.

The *third*, to conduct my thoughts in such order that, by commencing with objects the simplest and easiest to know, I might ascend by little and little, and, as it were, step by step, to the knowledge of the more complex; assigning in

thought a certain order even to those objects which in their own nature do not stand in a relation of antecedence and sequence.

And the *last*, in every case to make enumerations so complete, and reviews so general, that I might be assured that nothing was omitted.

The long chains of simple and easy reasonings by means of which geometers are accustomed to reach the conclusions of their most difficult demonstrations, had led me to imagine that all things, to the knowledge of which man is competent, are mutually connected in the same way, and that there is nothing so far removed from us as to be beyond our reach, or so hidden that we cannot discover it, provided only we abstain from accepting the false for the true, and always preserve in our thoughts the order necessary for the deduction of one truth from another. And I had little difficulty in determining the objects with which it was necessary to commence, for I was already persuaded that it must be with the simplest and easiest to know, and, considering that of all those who have hitherto sought truth in the Sciences, the mathematicians alone have been able to find any demonstrations, that is, any certain and evident reasons, I did not doubt but that such must have been the rule of their investigations. I resolved to commence, therefore with the examination of the simplest objects, not anticipating, however, from this any other advantage than that to be found in accustoming my mind to the love and nourishment of truth, and to a distaste for all such reasonings as were unsound. But I had no intention on that account of attempting to master all the particular Sciences commonly denominated Mathematics: but observing that, however, different their objects, they all agree in considering only the various relations or proportions subsisting among those objects, I thought it best for my purpose to consider these proportions in the most general form possible, without referring them to any objects in particular, except such as would most facilitate the knowledge of them, and without by any means restricting them to these, that afterwards I might thus be the better able to apply them to every other class of objects to which they are legitimately applicable. Perceiving further, that in order to understand these relations I should sometimes have to consider them one by one, and sometimes only to bear them in mind, or embrace them in the aggregate, I thought that, in order the better to consider them individually, I should view them as subsisting between straight lines, than which I could find no objects more simple, or capable of being more distinctly represented to my imagination and senses; and on the other hand, that in order to retain them in the memory, or embrace an aggregate of many, I should express them by certain characters the briefest possible. In this way I believed that I could borrow all that was best both in Geometrical Analysis and in Algebra, and correct all the defects of the one by help of the other.

And, in point of fact, the accurate observance of these few precepts gave me, I take the liberty of saying, such ease in unravelling all the questions embraced in these two sciences, that in the two or three months I devoted to their examination, not only did I reach solutions of questions I had formerly deemed exceedingly difficult, but even as regards questions of the solution of which I continued ignorant, I was enabled, as it appeared to me, to determine the means whereby, and the extent to which, a solution was possible; results attributable to the circumstance that I commenced with the simplest and most general truths, and that thus each truth discovered was a rule available in the discovery of subsequent ones. Nor in this perhaps shall I appear too vain, if it be considered that, as the truth on any particular point is one, whoever apprehends the truth, knows all that on that point can be known. The child, for example, who has been instructed in the elements of Arithmetic, and has made a particular addition, according to rule, may be assured that he has found, with respect to the sum of the numbers before him, all that in this instance is within the reach of human genius. Now, in conclusion, the Method which teaches adherence to the true order, and an exact enumeration of all the conditions of the thing sought, includes all that gives certitude to the rules of Arithmetic.

But the chief ground of my satisfaction with this Method, was the assurance I had of thereby exercising my reason in all matters, if not with absolute perfection, at least with the greatest attainable by me; besides, I was conscious that by its use my mind was becoming gradually habituated to clearer and more distinct conceptions of its objects; and I hoped, also, from not having restricted this Method to any particular matter, to apply it to the difficulties of the other Sciences, with no less success than to those of Algebra. I should not, however, on this account have ventured at once on the examination of all the difficulties of the Sciences which presented themselves to me, for this would have been contrary to the order prescribed in the Method, but observing that the knowledge of such is dependent on principles borrowed from Philosophy, in which I found nothing certain, I thought it necessary first of all to endeavour to establish its principles. And because I observed, besides, that an inquiry of this kind was of all others of the greatest moment, and one in which precipitancy and anticipation in judgment were most to be dreaded, I thought that I ought not to approach it till I had reached a more mature age (being at that time but twenty-three), and had first of all employed much of my time in preparation for the work, as well by eradicating from my mind all the erroneous opinions I had up to that moment accepted, as by amassing variety of experience to afford materials for my reasonings, and by continually exercising myself in my chosen Method with a view to increased skill in its application.

Part V

I would here willingly have proceeded to exhibit the whole chain of truths which I deduced from these primary; but as with a view to this it would have been necessary now to treat of many questions in dispute among the learned, with whom I do not wish to be embroiled, I believe that it will be better for me to refrain from this exposition, and only mention in general what these truths are, that the more judicious may be able to determine whether a more special account of them would conduce to the public advantage. I have ever remained firm in my original resolution to suppose no other principle than that of which I have recently availed myself in demonstrating the existence of God and of the soul, and to accept as true nothing that did not appear to me more clear and certain than the demonstrations of the geometers had formerly appeared; and yet I venture to state that not only have I found means to satisfy myself in a short time on all the principal difficulties which are usually treated of in Philosophy, but I have also observed certain laws established in nature by God in such a manner, and of which he has impressed on our minds such notions, that after we have reflected sufficiently upon these, we cannot doubt that they are accurately observed in all that exists or takes place in the world: and farther, by considering the concatenation of these laws, it appears to me that I have discovered many truths more useful and more important than all I had before learned, or even had expected to learn.

But because I have essayed to expound the chief of these discoveries in a Treatise which certain considerations prevent me from publishing, I cannot make the results known more conveniently than by here giving a summary of the contents of this Treatise. It was my design to comprise in it all that, before I set myself to write it, I thought I knew of the nature of material objects. But like the painters who, finding themselves unable to represent equally well on a plain surface all the different faces of a solid body, select one of the chief, on which alone they make the light fall, and throwing the rest into the shade, allow them to appear only in so far as they can be seen while looking at the principal one; so, fearing lest I should not be able to comprise in my discourse all that was in my mind, I resolved to expound singly, though at considerable length, my opinions regarding light; then to take the opportunity of adding something on the sun and the fixed stars, since light almost wholly proceeds from them; on the heavens, since they transmit it; on the planets, comets, and earth, since they reflect it; and particularly on all the bodies that are upon the earth, since they are either coloured, or transparent, or luminous; and finally on man, since he is the spectator of these objects. Further, to enable me to cast this variety of subjects somewhat into the shade,

and to express my judgment regarding them with greater freedom, without being necessitated to adopt or refute the opinions of the learned, I resolved to leave all the people here to their disputes, and to speak only of what would happen in a new world, if God were now to create somewhere in the imaginary spaces matter sufficient to compose one, and were to agitate variously and confusedly the different parts of this matter, so that there resulted a chaos as disordered as the poets ever feigned, and after that did nothing more than lend his ordinary concurrence to nature, and allow her to act in accordance with the laws which he had established. On this supposition, I, in the first place, described this matter, and essayed to represent it in such a manner that to my mind there can be nothing clearer and more intelligible, except what has been recently said regarding God and the soul; for I even expressly supposed that it possessed none of those forms or qualities which are so debated in the Schools, nor in general anything the knowledge of which is not so natural to our minds that no one can so much as imagine himself ignorant of it. Besides, I have pointed out what are the laws of nature; and, with no other principle upon which to found my reasonings except the infinite perfection of God, I endeavoured to demonstrate all those about which there could be any room for doubt, and to prove that they are such, that even if God had created more worlds, there could have been none in which these laws were not observed. Thereafter, I showed how the greatest part of the matter of this chaos must, in accordance with these laws, dispose and arrange itself in such a way as to present the appearance of heavens; how in the meantime some of its parts must compose an earth and some planets and comets, and others a sun and fixed stars. And, making a digression at this stage on the subject of light, I expounded at considerable length what the nature of that light must be which is found in the sun and the stars, and how thence in an instant of time it traverses the immense spaces of the heavens, and how from the planets and comets it is reflected towards the earth. To this I likewise added much respecting the substance, the situation, the motions, and all the different qualities of these heavens and stars; so that I thought I had said enough respecting them to show that there is nothing observable in the heavens or stars of our system that must not, or at least may not, appear precisely alike in those of the system which I described. I came next to speak of the earth in particular, and to show how, even though I had expressly supposed that God had given no weight to the matter of which it is composed, this should not prevent all its parts from tending exactly to its centre; how with water and air on its surface, the disposition of the heavens and heavenly bodies, more especially of the moon, must cause a flow and ebb, like in all its circumstances to that observed in our seas, as also a certain current both of water and air from east to west, such

as is likewise observed between the tropics; how the mountains, seas, fountains, and rivers might naturally be formed in it, and the metals produced in the mines, and the plants grow in the fields; and in general, how all the bodies which are commonly denominated mixed or composite might be generated: and, among other things in the discoveries alluded to, inasmuch as besides the stars, I knew nothing except fire which produces light, I spared no pains to set forth all that pertains to its nature,—the manner of its production and support, and to explain how heat is sometimes found without light, and light without heat; to show how it can induce various colours upon different bodies and other diverse qualities; how it reduces some to a liquid state and hardens others; how it can consume almost all bodies, or convert them into ashes and smoke; and finally, how from these ashes, by the mere intensity of its action, it forms glass: for as this transmutation of ashes into glass appeared to me as wonderful as any other in nature, I took a special pleasure in describing it.

I was not, however, disposed, from these circumstances, to conclude that this world had been created in the manner I described; for it is much more likely that God made it at the first such as it was to be. But this is certain, and an opinion commonly received among theologians, that the action by which he now sustains it is the same with that by which he originally created it; so that even although he had from the beginning given it no other form than that of chaos, provided only he had established certain laws of nature, and had lent it his concurrence to enable it to act as it is wont to do, it may be believed, without discredit to the miracle of creation, that, in this way alone, things purely material might, in course of time, have become such as we observe them at present; and their nature is much more easily conceived when they are beheld coming in this manner gradually into existence, than when they are only considered as produced at once in a finished and perfect state.

From the description of inanimate bodies and plants, I passed to animals, and particularly to man. But since I had not as yet sufficient knowledge to enable me to treat of these in the same manner as of the rest, that is to say, by deducing effects from their causes, and by showing from what elements and in what manner Nature must produce them, I remained satisfied with the supposition that God formed the body of man wholly like to one of ours, as well in the external shape of the members as in the internal conformation of the organs, of the same matter with that I had described, and at first placed in it no Rational Soul, nor any other principle, in room of the Vegetative or Sensitive Soul, beyond kindling in the heart one of those fires without light, such as I had already described, and which I thought was not different from the heat in hay that has been heaped together before it is dry, or that which

causes fermentation in new wines before they are run clear of the fruit. For, when I examined the kind of functions which might, as consequences of this supposition, exist in this body, I found precisely all those which may exist in us independently of all power of thinking, and consequently without being in any measure owing to the soul; in other words, to that part of us which is distinct from the body, and of which it has been said above that the nature distinctively consists in thinking,—functions in which the animals void of Reason may be said wholly to resemble us; but among which I could not discover any of those that, as dependent on thought alone, belong to us as men, while, on the other hand, I did afterwards discover these as soon as I supposed God to have created a Rational Soul, and to have annexed it to this body in a particular manner which I described.

But, in order to show how I there handled this matter, I mean here to give the explication of the motion of the heart and arteries, which, as the first and most general motion observed in animals, will afford the means of readily determining what should be thought of all the rest. And that there may be less difficulty in understanding what I am about to say on this subject, I advise those who are not versed in Anatomy, before they commence the perusal of these observations, to take the trouble of getting dissected in their presence the heart of some large animal possessed of lungs (for this is throughout sufficiently like the human), and to have shewn to them its two ventricles or cavities: in the first place, that in the right side, with which correspond two very ample tubes, viz., the hollow vein (*vena cava*), which is the principal receptacle of the blood, and the trunk of the tree, as it were, of which all the other veins in the body are branches; and the arterial vein (*vena arteriosa*), inappropriately so denominated, since it is in truth only an artery, which, taking its rise in the heart, is divided, after passing out from it, into many branches which presently disperse themselves all over the lungs; in the second place, the cavity in the left side, with which correspond in the same manner two canals in size equal to or larger than the preceding, viz., the venous artery (*arteria venosa*), likewise inappropriately thus designated, because it is simply a vein which comes from the lungs, where it is divided into many branches, interlaced with those of the arterial vein, and those of the tube called the wind-pipe, through which the air we breathe enters; and the great artery which, issuing from the heart, sends its branches all over the body. I should wish also that such persons were carefully shewn the eleven pellicles which, like so many small valves, open and shut the four orifices that are in these two cavities, viz., three at the entrance of the hollow vein, where they are disposed in such a manner as by no means to prevent the blood which it contains from flowing into the right ventricle of the heart, and yet exactly to prevent its flowing

out; three at the entrance to the arterial vein, which, arranged in a manner exactly the opposite of the former, readily permit the blood contained in this cavity to pass into the lungs, but hinder that contained in the lungs from returning to this cavity; and, in like manner, two others at the mouth of the venous artery, which allow the blood from the lungs to flow into the left cavity of the heart, but preclude its return; and three at the mouth of the great artery, which suffer the blood to flow from the heart, but prevent its reflux. Nor do we need to seek any other reason for the number of these pellicles beyond this that the orifice of the venous artery being of an oval shape from the nature of its situation, can be adequately closed with two, whereas the others being round are more conveniently closed with three. Besides, I wish such persons to observe that the grand artery and the arterial vein are of much harder and firmer texture than the venous artery and the hollow vein; and that the two last expand before entering the heart, and there form, as it were, two pouches denominated the auricles of the heart, which are composed of a substance similar to that of the heart itself; and that there is always more warmth in the heart than in any other part of the body; and, finally, that this heat is capable of causing any drop of blood that passes into the cavities rapidly to expand and dilate, just as all liquors do when allowed to fall drop by drop into a highly heated vessel.

For, after these things, it is not necessary for me to say anything more with a view to explain the motion of the heart, except that when its cavities are not full of blood, into these the blood of necessity flows,—from the hollow vein into the right, and from the venous artery into the left; because these two vessels are always full of blood, and their orifices, which are turned towards the heart, cannot then be closed. But as soon as two drops of blood have thus passed, one into each of the cavities, these drops which cannot but be very large, because the orifices through which they pass are wide, and the vessels from which they come full of blood, are immediately rarefied, and dilated by the heat they meet with. In this way they cause the whole heart to expand, and at the same time press home and shut the five small valves that are at the entrances of the two vessels from which they flow, and thus prevent any more blood from coming down into the heart, and becoming more and more rarefied, they push open the six small valves that are in the orifices of the other two vessels, through which they pass out, causing in this way all the branches of the arterial vein and of the grand artery to expand almost simultaneously with the heart—which immediately thereafter begins to contract, as do also the arteries, because the blood that has entered them has cooled, and the six small valves close, and the five of the hollow vein and of the venous artery open anew and allow a passage to other two drops of blood, which cause the heart

and the arteries again to expand as before. And, because the blood which thus enters into the heart passes through these two pouches called auricles, it thence happens that their motion is the contrary of that of the heart, and that when it expands they contract. But lest those who are ignorant of the force of mathematical demonstrations, and who are not accustomed to distinguish true reasons from mere verisimilitudes, should venture, without examination, to deny what has been said, I wish it to be considered that the motion which I have now explained follows as necessarily from the very arrangement of the parts, which may be observed in the heart by the eye alone, and from the heat which may be felt with the fingers, and from the nature of the blood as learned from experience, as does the motion of a clock from the power, the situation, and shape of its counterweights and wheels.

But if it be asked how it happens that the blood in the veins, flowing in this way continually into the heart, is not exhausted, and why the arteries do not become too full, since all the blood which passes through the heart flows into them, I need only mention in reply what has been written by a physician¹ of England, who has the honour of having broken the ice on this subject, and of having been the first to teach that there are many small passages at the extremities of the arteries, through which the blood received by them from the heart passes into the small branches of the veins, whence it again returns to the heart; so that its course amounts precisely to a perpetual circulation. Of this we have abundant proof in the ordinary experience of surgeons, who, by binding the arm with a tie of moderate straitness above the part where they open the vein, cause the blood to flow more copiously than it would have done without any ligature; whereas quite the contrary would happen were they to bind it below; that is, between the hand and the opening, or were to make the ligature above the opening very tight. For it is manifest that the tie, moderately straitened, while adequate to hinder the blood already in the arm from returning towards the heart by the veins, cannot on that account prevent new blood from coming forward through the arteries, because these are situated below the veins, and their coverings, from their great consistency, are more difficult to compress; and also that the blood which comes from the heart tends to pass through them to the hand with greater force than it does to return from the hand to the heart through the veins. And since the latter current escapes from the arm by the opening made in one of the veins, there must of necessity be certain passages below the ligature, that is, towards the extremities of the arm, through which it can come thither from the arteries. This physician likewise abundantly establishes what he has advanced respecting the motion of the blood, from the existence of certain pellicles, so disposed in various places

¹ [William Harvey (1578-1657).]

along the course of the veins, in the manner of small valves, as not to permit the blood to pass from the middle of the body towards the extremities, but only to return from the extremities to the heart; and farther, from experience which shows that all the blood which is in the body may flow out of it in a very short time through a single artery that has been cut, even although this had been closely tied in the immediate neighbourhood of the heart, and cut between the heart and the ligature, so as to prevent the supposition that the blood flowing out of it could come from any other quarter than the heart.

But there are many other circumstances which evince that what I have alleged is the true cause of the motion of the blood: thus, in the first place, the difference that is observed between the blood which flows from the veins, and that from the arteries, can only arise from this, that being rarefied, and, as it were, distilled by passing through the heart, it is thinner, and more vivid, and warmer immediately after leaving the heart, in other words, when in the arteries, than it was a short time before passing into either, in other words, when it was in the veins; and if attention be given, it will be found that this difference is very marked only in the neighbourhood of the heart; and is not so evident in parts more remote from it. In the next place, the consistency of the coats of which the arterial vein and the great artery are composed, sufficiently shows that the blood is impelled against them with more force than against the veins. And why should the left cavity of the heart and the great artery be wider and larger than the right cavity and the arterial vein, were it not that the blood of the venous artery, having only been in the lungs after it has passed through the heart, is thinner, and rarefies more readily, and in a higher degree, than the blood which proceeds immediately from the hollow vein? And what can physicians conjecture from feeling the pulse unless they know that according as the blood changes its nature it can be rarefied by the warmth of the heart, in a higher or lower degree, and more or less quickly than before? And if it be inquired how this heat is communicated to the other members, must it not be admitted that this is effected by means of the blood, which, passing through the heart, is there heated anew, and thence diffused over all the body? Whence it happens, that if the blood be withdrawn from any part, the heat is likewise withdrawn by the same means; and although the heart were as hot as glowing iron, it would not be capable of warming the feet and hands as at present, unless it continually sent thither new blood. We likewise perceive from this, that the true use of respiration is to bring sufficient fresh air into the lungs, to cause the blood which flows into them from the right ventricle of the heart, where it has been rarefied and, as it were, changed into vapours, to become thick, and to convert it anew into blood, before it flows into the left cavity, without which process it would be unfit for

the nourishment of the fire that is there. This receives confirmation from the circumstance, that it is observed of animals destitute of lungs that they have also but one cavity in the heart, and that in children who cannot use them while in the womb, there is a hole through which the blood flows from the hollow vein into the left cavity of the heart, and a tube through which it passes from the arterial vein into the grand artery without passing through the lung. In the next place, how could digestion be carried on in the stomach unless the heart communicated heat to it through the arteries, and along with this certain of the more fluid parts of the blood, which assist in the dissolution of the food that has been taken in? Is not also the operation which converts the juice of food into blood easily comprehended, when it is considered that it is distilled by passing and repassing through the heart perhaps more than one or two hundred times in a day? And what more need be adduced to explain nutrition, and the production of the different humours of the body, beyond saying, that the force with which the blood, in being rarefied, passes from the heart towards the extremities of the arteries, causes certain of its parts to remain in the members at which they arrive, and there occupy the place of some others expelled by them; and that according to the situation, shape, or smallness of the pores with which they meet, some rather than others flow into certain parts, in the same way that some sieves are observed to act, which, by being variously perforated, serve to separate different species of grain? And, in the last place, what above all is here worthy of observation, is the generation of the animal spirits, which are like a very subtle wind, or rather a very pure and vivid flame which, continually ascending in great abundance from the heart to the brain, thence penetrates through the nerves into the muscles, and gives motion to all the members; so that to account for other parts of the blood which, as most agitated and penetrating, are the fittest to compose these spirits, proceeding towards the brain, it is not necessary to suppose any other cause, than simply, that the arteries which carry them thither proceed from the heart in the most direct lines, and that, according to the rules of Mechanics, which are the same with those of Nature, when many objects tend at once to the same point where there is not sufficient room for all (as is the case with the parts of the blood which flow forth from the left cavity of the heart and tend towards the brain), the weaker and less agitated parts must necessarily be driven aside from that point by the stronger which alone in this way reach it.

I had expounded all these matters with sufficient minuteness in the Treatise which I formerly thought of publishing. And after these, I had shewn what must be the fabric of the nerves and muscles of the human body to give the animal spirits contained in it the power to move the members, as when we see

heads shortly after they have been struck off still move and bite the earth, although no longer animated; what changes must take place in the brain to produce waking, sleep, and dreams, how light, sounds, odours, tastes, heat, and all the other qualities of external objects impress it with different ideas by means of the senses; how hunger, thirst, and the other internal affections can likewise impress upon it divers ideas; what must be understood by the common sense (*sensus communis*) in which these ideas are received, by the memory which retains them, by the fantasy which can change them in various ways, and out of them compose new ideas, and which, by the same means, distributing the animal spirits through the muscles, can cause the members of such a body to move in as many different ways, and in a manner as suited, whether to the objects that are presented to its senses or to its internal affections, as can take place in our own case apart from the guidance of the will. Nor will this appear at all strange to those who are acquainted with the variety of movements performed by the different automata, or moving machines fabricated by human industry, and that with help of but few pieces compared with the great multitude of bones, muscles, nerves, arteries, veins, and other parts that are found in the body of each animal. Such persons will look upon this body as a machine made by the hands of God, which is incomparably better arranged, and adequate to movements more admirable than is any machine of human invention. And here I specially stayed to show that, were there such machines exactly resembling in organs and outward form an ape or any other irrational animal, we could have no means of knowing that they were in any respect of a different nature from these animals; but if there were machines bearing the image of our bodies, and capable of imitating our actions as far as it is morally possible, there would still remain two most certain tests whereby to know that they were not therefore really men. Of these the first is that they could never use words or other signs arranged in such a manner as is competent to us in order to declare our thoughts to others: for we may easily conceive a machine to be so constructed that it emits vocables, and even that it emits some correspondent to the action upon it of external objects which cause a change in its organs; for example, if touched in a particular place it may demand what we wish to say to it; if in another it may cry out that it is hurt, and such like; but not that it should arrange them variously so as appositely to reply to what is said in its presence, as men of the lowest grade of intellect can do. The second test is, that although such machines might execute many things with equal or perhaps greater perfection than any of us, they would, without doubt, fail in certain others from which it could be discovered that they did not act from knowledge, but solely from the disposition of their organs: for while Reason is an universal instrument that is alike availa-

able on every occasion, these organs, on the contrary, need a particular arrangement for each particular action; whence it must be morally impossible that there should exist in any machine a diversity of organs sufficient to enable it to act in all the occurrences of life, in the way in which our reason enables us to act. Again, by means of these two tests we may likewise know the difference between men and brutes. For it is highly deserving, of remark, that there are no men so dull and stupid, not even idiots, as to be incapable of joining together different words, and thereby constructing a declaration by which to make their thoughts understood; and that on the other hand, there is no other animal, however perfect or happily circumstanced, which can do the like. Nor does this inability arise from want of organs: for we observe that magpies and parrots can utter words like ourselves, and are yet unable to speak as we do, that is, so as to show that they understand what they say; in place of which men born deaf and dumb, and thus not less, but rather more than the brutes, destitute of the organs which others use in speaking, are in the habit of spontaneously inventing certain signs by which they discover their thoughts to those who, being usually in their company, have leisure to learn their language. And this proves not only that the brutes have less Reason than man, but that they have none at all: for we see that very little is required to enable a person to speak; and since a certain inequality of capacity is observable among animals of the same species, as well as among men, and since some are more capable of being instructed than others, it is incredible that the most perfect ape or parrot of its species, should not in this be equal to the most stupid infant of its kind, or at least to one that was crack-brained, unless the soul of brutes were of a nature wholly different from ours. And we ought not to confound speech with the natural movements which indicate the passions, and can be imitated by machines as well as manifested by animals; nor must it be thought with certain of the ancients, that the brutes speak, although we do not understand their language. For if such were the case, since they are endowed with many organs analogous to ours, they could as easily communicate their thoughts to us as to their fellows. It is also very worthy of remark, that, though there are many animals which manifest more industry than we in certain of their actions, the same animals are yet observed to show none at all in many others: so that the circumstance that they do better than we does not prove that they are endowed with mind, for it would thence follow that they possessed greater Reason than any of us, and could surpass us in all things; on the contrary, it rather proves that they are destitute of Reason, and that it is Nature which acts in them according to the disposition of their organs: thus it is seen, that a clock composed only of wheels and weights can number the hours and measure time more exactly than we with all our skill.

I had after this described the Reasonable Soul, and shewn that it could by no means be educed from the power of matter, as the other things of which I had spoken, but that it must be expressly created; and that it is not sufficient that it be lodged in the human body exactly like a pilot in a ship, unless perhaps to move its members, but that it is necessary for it to be joined and united more closely to the body, in order to have sensations and appetites similar to ours, and thus constitute a real man. I here entered, in conclusion, upon the subject of the soul at considerable length, because it is of the greatest moment: for after the error of those who deny the existence of God, an error which I think I have already sufficiently refuted, there is none that is more powerful in leading feeble minds astray from the straight path of virtue than the supposition that the soul of the brutes is of the same nature with our own; and consequently that after this life we have nothing to hope for or fear, more than flies and ants; in place of which, when we know how far they differ we much better comprehend the reasons which establish that the soul is of a nature wholly independent of the body, and that consequently it is not liable to die with the latter; and, finally, because no other causes are observed capable of destroying it, we are naturally led thence to judge that it is immortal.

ISAAC NEWTON

ISAAC NEWTON (1642–1727) was born at Woolsthorpe in Lincolnshire, England. His widowed mother planned to make a country squire of him, and he was given the customary grammar-school education. But the boy consistently neglected the chores expected of him and showed instead a strong liking for mechanical contrivances; the original plan was therefore dropped, and he was permitted to enter Trinity College, Cambridge. Here he rapidly developed unusual gifts for mathematics, mastering by himself Euclid, Kepler's *Optics*, and Descartes's *Geometry*. He won the interest and finally the friendship of Isaac Barrow, the first Lucasian Professor of Mathematics at the university; and from Barrow, himself groping toward the methods of the differential calculus, Newton acquired a strong interest in optics, in the general problem of drawing tangents to curves, and in theology. When Newton obtained his B.A. degree in 1664, he was on the threshold of all his scientific discoveries.

Because of the outbreak of the Great Plague in the following year, he returned to his birthplace, the scene for the famous alleged incident of the falling apple as the stimulus to his speculations on gravity; but although the story may be apocryphal, there is no question that most of his great ideas suggested themselves during the two years of enforced seclusion at Woolsthorpe. Years later Newton described this period in his life: "In the beginning of the year 1665 I found the method of approximating Series and the Rule for reducing any dignity of any Binomial into such a series. The same year, in May, I found the method of tangents . . . , and in November had the direct method of Fluxions, and the next year in January had the Theory of Colours, and in May following I had entrance into the inverse method of Fluxions. And the same year I began to think of gravity extending to the orb of the Moon, and . . . from Kepler's Rule of the periodical times of the Planets . . . I deduced that the forces which keep the Planets in their orbs must be reciprocally as the squares of their distances from the centers about which they revolve: and thereby compared the force requisite to keep the Moon in her orb with the force of gravity at the surface of the earth, and found them answer pretty nearly. All this was in the two plague years of 1665 and 1666, for in those days I was in the prime of my age for invention, and minded Mathematicks and Philosophy more than at any time since."

Newton thus had the entire theory of the solar system within his grasp when he was but twenty-four years old; but for various reasons he did not make public his discoveries. He returned to Cambridge, and in 1669 succeeded Barrow as Lucasian Professor when the latter retired in his favor. He was presently made Fellow of the Royal Society, and submitted his researches on the compound nature of white light. He thereby became involved, to his great distress, in a long controversy over the matter, among others with Robert Hooke, the brilliant curator of the Society, and he threatened to abandon natural philosophy. He wrote to the Secretary: "I see I have made myself a slave to philosophy, but if I get free of this present business I will resolutely bid adieu to it eternally, except what I do for my

private satisfaction or leave to come out after me; for I see a man must either resolve to put out nothing new, or to become a slave to defend it."

His resolution was not final. Edmund Halley visited him in 1684, to raise with him the question much discussed in the Society as to the force required to keep the planets in their orbits. Newton claimed to have previously worked out the solution of this problem but could not, at the moment, find the papers proving this. Halley urged Newton to publish his results in systematic form and offered to defray the cost of publication. Newton consented; but fearful of another controversy, he wrote Halley that the third book of the treatise, which deals with the application of mechanics to the solar system, he aimed to suppress. However, Halley's judgment prevailed, and finally in 1687 the complete work appeared in Latin with the title *Philosophiae Naturalis Principia Mathematica*.¹ Descartes's dream of a universal mathematical science of nature was thus realized, at least for the domains of astronomy and dynamics. In spite of the renewed controversy with Hooke and others which Newton had feared, the book was immediately hailed as a work of genius. It came to be regarded presently as the authoritative model of scientific method, to be imitated in all domains of inquiry; and, in fact, it did represent the fusion of the mathematical and experimental traditions to which Newton was heir.

Newton continued to publish at regular intervals. He wrote a systematic account of his method of fluxions, which precipitated a controversy with Leibniz, who had discovered it independently; he prepared new editions of the *Principia*; and in 1704 he published his *Opticks*. Honors were bestowed on him from all quarters: he was elected President of the Royal Society and retained the office until his death twenty-four years later; he was made Warden, and later Master, of the Mint, with a comfortable salary; and in 1705 he was knighted. Worshiped by his generation to the point of idolatry, he could still say in his old age: "I know not what the world will think of my labours, but to myself it seems that I have been but as a child playing on the sea-shore; now finding some pebble rather more polished, and now some shell rather more agreeably variegated than another, while the immense ocean of truth extended itself unexplored before me."

Newton's conscientious performance of his duties as a Treasury official consumed much of his energies, but in his later years he gave free rein to his theological interests. In his *Two Notable Corruptions of Scripture* and his *Observations on the Prophecies of Daniel and the Apocalypse of St. John*, for example, he showed himself to be a devout Christian, but convinced that the New Testament does not teach the doctrine of the Trinity. However, he had always been concerned with religious issues, even at the height of his scientific activity, and he believed that mathematical physics has very definite theological implications. His ideas on space were profoundly influenced by his colleague Henry More, the Cambridge Platonist; and he regarded absolute space, as distinct from the relative space of "vulgar" experience, as the "Divine Sensorium" through which God comprehends his works and guides their motions. He believed that God's existence is required in order to account for the harmonious order of the world: "We know him only by his most wise and excellent contrivances of things, and final causes; we admire him for his perfections; but we reverence and adore him on account of his dominion: for we adore him as his servants; and a god without dominion, providence, and final

¹ *The Mathematical Principles of Natural Philosophy.*

causes, is nothing else but Fate and Nature. Blind metaphysical necessity, which is certainly the same always and everywhere, could produce no variety of things. All that diversity of natural things which we find suited to different times and places could arise from nothing but the ideas and will of a Being necessarily existing." In fact, Newton maintained that various irregularities are revealed in the workings of the world machine which would finally lead to its disintegration, if God did not, from time to time, set things aright again. Newton's "scientific proof" of God's existence influenced the course of subsequent theological speculation. His arguments were frequently employed by English divines, until Laplace finally showed that the solar system could have developed into its present form according to mechanical laws and proved that the irregularities Newton noticed are periodic and self-compensating.

The following selections aim to explain Newton's achievements in his *Principia* and the character of his mathematical-experimental method. The first is taken from Roger Cotes's *Preface to the Second Edition of Newton's Principia* (1713); the second from a widely read book by one of his editors, Henry Pemberton's *A View of Sir Isaac Newton's Philosophy* (1728); and the third is comprised of excerpts from Newton's *Principia*.



THE PREFACE OF MR. ROGER COTES, TO THE SECOND EDITION OF [PRINCIPIA MATHEMATICA], SO FAR AS IT RELATES TO THE INVENTIONS AND DISCOVERIES THEREIN CONTAINED

THOSE WHO HAVE TREATED of natural philosophy may be nearly reduced to three classes. Of these, some have attributed to the several species of things specific and occult qualities, on which, in a manner unknown, they make the operations of the several bodies to depend. The sum of the doctrine of the schools derived from Aristotle and the Peripatetics is herein contained. They affirm that the several effects of bodies arise from the particular natures of those bodies; but whence it is that bodies derive those natures they do not tell us, and therefore they tell us nothing. And being entirely employed in giving names to things, and not in searching into things themselves, we may say, that they have invented a philosophical way of speaking, but not that they have made known to us true philosophy.

Others, therefore, by laying aside that useless heap of words, thought to employ their pains to better purpose. These supposed all matter homogeneous, and that the variety of forms which is seen in bodies arises from some very plain and simple affections of the component particles; and by going on from simple things to those which are more compounded, they certainly proceed

right, if they attribute no other properties to those primary affections of the particles than nature has done. But when they take a liberty of imagining at pleasure unknown figures and magnitudes, and uncertain situations and motions of the parts; and, moreover, of supposing occult fluids, freely pervading the pores of bodies, endued with an all-performing subtilty, and agitated with occult motions; they now run out into dreams and chimeras, and neglect the true constitution of things; which certainly is not to be expected from fallacious conjectures, when we can scarcely reach it by the most certain observations. Those who fetch from hypotheses the foundation on which they build their speculations, may form, indeed, an ingenious romance; but a romance it will still be.

There is left, then, the third class, which profess experimental philosophy. These, indeed, derive the causes of all things from the most simple principles possible; but, then, they assume nothing as a principle that is not proved by phenomena. They frame no hypotheses, nor receive them into philosophy otherwise than as questions whose truth may be disputed. They proceed, therefore, in a twofold method, synthetical and analytical. From some select phenomena they deduce by analysis the forces of nature, and the more simple laws of forces; and from thence by synthesis shew the constitution of the rest. This is that incomparably best way of philosophizing which our renowned author most justly embraced before the rest, and thought alone worthy to be cultivated and adorned by his excellent labours. Of this he has given us a most illustrious example by the explication of the System of the World, most happily deduced from the theory of gravity. That the virtue of gravity was found in all bodies, others suspected or imagined before him; but he was the only and the first philosopher that could demonstrate it from appearances, and make it a solid foundation to the most noble speculations. . . .

Since, then, all bodies, whether upon earth or in the heavens, are heavy, so far as we can make any experiments or observations concerning them, we must certainly allow that gravity is found in all bodies universally; and in like manner, as we ought not to suppose that any bodies can be otherwise than extended, moveable, or impenetrable, so we ought not to conceive that any bodies can be otherwise than heavy. The extension, mobility, and impenetrability of bodies become known to us only by experiments; and in the very same manner their gravity becomes known to us. All bodies we can make any observations upon are extended, moveable, and impenetrable; and thence we conclude all bodies, and those we have no observations concerning, to be extended, and moveable, and impenetrable. So all bodies we can make observations on we find to be heavy; and thence we conclude all bodies, and those we have no observations of, to be heavy also. If any one should say that the

bodies of the fixed stars are not heavy, because their gravity is not yet observed, they may say, for the same reason, that they are neither extended, nor moveable, nor impenetrable, because these affections of the fixed stars are not yet observed. In short, either gravity must have a place among the primary qualities of all bodies, or extension, mobility, and impenetrability, must not. And if the nature of things is not rightly explained by the gravity of bodies, it will not be rightly explained by their extension, mobility and impenetrability.

Some, I know, disapprove this conclusion, and mutter something about occult qualities. They are continually cavilling with us, that gravity is an occult property; and occult causes are to be quite banished from philosophy. But to this the answer is easy: that those are, indeed, occult causes whose existence is occult; and imagined, but not proved; but not those whose real existence is clearly demonstrated by observations. Therefore gravity can by no means be called an occult cause of the celestial motions, because it is plain from the phenomena that such a virtue does really exist. Those rather have recourse to occult causes who set imaginary vortices, of a matter entirely fictitious, and imperceptible by our senses, to direct those motions.

But shall gravity be therefore called an occult cause, and thrown out of philosophy, because the cause of gravity is occult, and not yet discovered? Those who affirm this should be careful not to fall into an absurdity that may overturn the foundations of all philosophy; for causes use to proceed in a continued chain from those that are more compounded to those that are more simple: when we are arrived at the most simple cause, we can go no farther. Therefore no mechanical account or explanation of the most simple cause is to be expected or given; for if it could be given, the cause were not the most simple. The most simple causes will you, then, call occult, and reject them? Then you must reject those that immediately depend upon them, and those which depend upon these last, till philosophy is quite cleared and disencumbered of all causes.

Some there are who say that gravity is præternatural, and call it a perpetual miracle; therefore they would have it rejected, because præternatural causes have no place in physics. It is hardly worth while to spend time in answering this ridiculous objection, which overturns all philosophy; for either they will deny gravity to be in bodies, which cannot be said, or else they will therefore call it præternatural, because it is not produced by the other affections of bodies, and therefore not by mechanical causes. But certainly there are primary affections of bodies; and these, because they are primary, have no dependance on the others. Let them consider whether all these are not in like manner præternatural, and in like manner to be rejected; and then what kind of philosophy we are like to have.

Some there are who dislike this celestial physics, because it contradicts the opinions of Descartes, and seems hardly to be reconciled with them. Let these enjoy their own opinion; but let them act fairly, and not deny the same liberty to us which they demand for themselves. Since the Newtonian Philosophy appears true to us, let us have the liberty to embrace and retain it, and to follow causes proved by phænomena, rather than causes only imagined, and not yet proved. The business of true philosophy is to derive the natures of things from causes truly existent; and to enquire after those laws on which the Great Creator actually chose to found this most beautiful frame of the world; not those by which he might have done the same, had he so pleased. It is reasonable enough to suppose that, from several causes somewhat differing from each other, the same effect may arise; but the true cause will be that from which it truly and actually does arise: the others have no place in true philosophy. The same motion of the hour-hand in a clock may be occasioned either by a weight hung or a spring shut up within; but if a certain clock should be really moved with a weight, we should laugh at a man that would suppose it moved by a spring, and from that principle, suddenly taken up without farther examination, should go about to explain the motion of the index; for certainly the way he ought to have taken should have been actually to look into the inward parts of the machine, that he might find the true principle of the proposed motion. The like judgment ought to be made of those philosophers who will have the heavens to be filled with a most subtile matter, which is perpetually carried round in vortices; for if they could explain the phænomena ever so accurately by their hypotheses, we could not yet say that they have discovered true philosophy, and the true causes of the celestial motions, unless they could either demonstrate that those causes do actually exist, or, at least, that no other do exist. Therefore if it be made clear that the attraction of all bodies is a property actually existing *in rerum natura*,² and if it be also shewn how the motions of the celestial bodies may be solved by that property, it would be very impertinent for any one to object that these motions ought to be accounted for by vortices, even though we should ever so much allow such an explication of those motions to be possible. But we allow no such thing; for the phænomena can by no means be accounted for by vortices, as our author has abundantly proved from the cleared reasons. So that men must be strangely fond of chimeras who can spend their time so idly as in patching up a ridiculous figment, and setting it off with new comments of their own.

If the bodies of the planets and comets are carried round the sun in vortices, the bodies so carried, and the parts of the vortices next surrounding them, must be carried with the same velocity and the same direction, and have the same

² [In the nature of things.]

density, and the same *vis inertiae* ^a answering to the bulk of the matter. But it is certain the planets and comets, when in the very same parts of the heavens, are carried with various velocities and various directions; therefore it necessarily follows that those parts of the celestial fluid which are at the same distances from the sun must revolve at the same time with different velocities in different directions; for one kind of velocity and direction is required for the motion of the planets, and another for that of the comets. But, since this cannot be accounted for, we must either say that all the celestial bodies are not carried about by vortices, or else that their motions are derived not from one and the same vortex, but from several distinct ones, which fill and pervade the spaces round about the sun.

But if several vortices are contained in the same space, and are supposed to penetrate each other, and to revolve with different motions, then, because these motions must agree with those of the bodies carried about by them, which are perfectly regular, and performed in conic sections which are sometimes very eccentric, and sometimes nearly circles, one may reasonably ask, how it comes to pass that these vortices remain entire, and have suffered no manner of perturbation in so many ages from the actions of the conflicting matter? Certainly, if these fictitious motions are more compounded and more hard to be accounted for than the true motions of the planets and comets, it seems to no purpose to admit them into philosophy, since every cause ought to be more simple than its effect. Allowing men to indulge their own fancies, suppose any man should affirm that the planets and comets are surrounded with atmospheres like our earth, which hypothesis seems more reasonable than that of vortices. Let him then affirm that these atmospheres, by their own nature, move about the sun, and describe conic sections, which motion is much more easily conceived than that of the vortices penetrating each other. Lastly, that the planets and comets are carried about the sun by these atmospheres of their's; and then applaud his own sagacity in discovering the causes of the celestial motions. He that rejects this fable, must also reject the other; for two drops of water are not more like than this hypothesis of atmospheres, and that of vortices.

Galileo has shewn, that when a stone projected moves in a parabola, its deflexion into that curve from its rectilinear path is occasioned by the gravity of the stone towards the earth; that is, by an occult quality. But, now, somebody more cunning than he may come to explain the cause after this manner. He will suppose a certain subtile matter, not discernible by our sight, our touch, or any other of our senses, which fills the spaces which are near and

^a [That property of matter by which it tends when at rest to remain so, and when in motion to continue in rectilinear motion.]

continuous to the superficies of the earth; and that this matter is carried with different directions, and various, and often contrary motions, describing parabolic curves. Then see how easily he may account for the deflexion of the stone above spoken of. The stone, says he, floats in this subtile fluid, and, following its motion, cannot chuse but describe the same figure. But the fluid moves in parabolic curves, and therefore the stone must move in a parabola of course. Would not the acuteness of this philosopher be thought very extraordinary, who could deduce the appearances of nature from mechanical causes, matter, and motion, so clearly that the meanest man may understand it? Or, indeed, should not we smile to see this new Galileo taking so much mathematical pains to introduce occult qualities into philosophy, from whence they have been so happily excluded? But I am ashamed to dwell so long upon trifles.

The sum of the matter is this: the number of the comets is certainly very great; their motions are perfectly regular, and observe the same laws with those of the planets. The orbits in which they move are conic sections, and those very eccentric. They move every way towards all parts of the heavens, and pass through the planetary regions with all possible freedom; and their motion is often contrary to the order of the signs. These phænomena are most evidently confirmed by astronomical observations, and cannot be accounted for by vortices. Nay, indeed, they are utterly irreconcilable with the vortices of the planets. There can be no room for the motions of the comets, unless the celestial spaces be entirely cleared of that fictitious matter. . . . Without all doubt, this world, so diversified with that variety of forms and motions we find in it, could arise from nothing but the perfectly free will of God directing and presiding over all.

From this Fountain it is that those laws, which we call the laws of Nature, have flowed; in which there appear many traces, indeed, of the most wise contrivance, but not the least shadow of necessity. These, therefore, we must not seek from uncertain conjectures, but learn them from observations and experiments. He who thinks to find the true principles of physics and the laws of natural things by the force alone of his own mind, and the internal light of his reason, must either suppose that the world exists by necessity, and by the same necessity follows the laws proposed; or, if the order of Nature was established by the will of God, that himself, a miserable reptile, can tell what was fittest to be done. All sound and true philosophy is founded on the appearances of things, which, if they draw us ever so much against our wills to such principles as most clearly manifest to us the most excellent counsel and supreme dominion of the Allwise and Almighty Being, those principles are not therefore to be laid aside, because some men may perhaps dislike them. They may call them, if they please, miracles or occult qualities; but names maliciously

given ought not to be a disadvantage to the things themselves; unless they will say, at last, that all philosophy ought to be founded in atheism. Philosophy must not be corrupted in complaisance to these men; for the order of things will not be changed.

Fair and equal judges will therefore give sentence in favour of this most excellent method of philosophy, which is founded on experiments and observations. To this method it is hardly to be said or imagined what light, what splendor, hath accrued from this admirable work of our illustrious author, whose happy and sublime genius, resolving the most difficult problems, and reaching to discoveries of which the mind of man was thought incapable before, is deservedly admired by all those who are somewhat more than superficially versed in these matters. The gates are now set open; and by his means we may freely enter into the knowledge of the hidden secrets and wonders of natural things. He has so clearly laid open and set before our eyes the most beautiful frame of the System of the World, that, if King Alphonsus were now alive, he would not complain for want of the graces either of simplicity or of harmony in it. Therefore we may now more nearly behold the beauties of Nature, and entertain ourselves with the delightful contemplation; and, which is the best and most valuable fruit of philosophy, be thence incited the more profoundly to reverence and adore the great Maker and Lord of all. He must be blind, who, from the most wise and excellent contrivances of things, cannot see the infinite wisdom and goodness of their Almighty Creator; and he must be mad and senseless who refuses to acknowledge them.

A VIEW OF SIR ISAAC NEWTON'S PHILOSOPHY BY HENRY PEMBERTON

. . . But WHAT surprising advancements in the knowledge of nature may be made by pursuing the true course in philosophical inquiries; when those searches are conducted by a genius equal to so divine a work, will be best understood by considering Sir Isaac Newton's discoveries. That my reader may apprehend as just a notion of these, as can be conveyed to him, by the brief account, which I intend to lay before him; I have set apart this introduction for explaining, in the fullest manner I am able, the principles, whereon Sir Isaac Newton proceeds. For without a clear conception of these, it is impossible to form any true idea of the singular excellence of the inventions of this great philosopher.

The principles then of this philosophy are; upon no consideration to indulge conjectures concerning the powers and laws of nature, but to make it our

endeavour with all diligence to search out the real and true laws, by which the constitution of things is regulated. The philosopher's first care must be to distinguish, what he sees to be within his power, from what is beyond his reach; to assume no greater degree of knowledge, than what he finds himself possessed of; but to advance by slow and cautious steps; to search gradually into natural causes; to secure to himself the knowledge of the most immediate cause of each appearance, before he extends his views farther to causes more remote. This is the method, in which philosophy ought to be cultivated; which does not pretend to so great things, as the more airy speculations; but will perform abundantly more: we shall not perhaps seem to the unskilful to know so much, but our real knowledge will be greater. And certainly it is no objection against this method, that some others promise, what is nearer to the extent of our wishes: since this, if it will not teach us all we could desire to be informed of, will however give us some true light into nature; which no other can do. Nor has the philosopher any reason to think his labour lost, when he finds himself stopt at the cause first discovered by him, or at any other more remote cause, short of the original: for if he has but sufficiently proved any one cause; he has entered so far into the real constitution of things, has laid a safe foundation for others to work upon, and has facilitated their endeavours in the search after yet more distant causes; and besides, in the mean time he may apply the knowledge of these intermediate causes to *many useful purposes*. Indeed the being able to make practical deductions from natural causes, constitutes the great distinction between the true philosophy and the false. Causes assumed upon conjecture, must be so loose and undefined, that nothing particular can be collected from them. But those causes, which are brought to light by a strict examination of things, will be more distinct. Hence it appears to have been no unuseful discovery, that the ascent of water in pumps is owing to the pressure of the air by its weight or spring; though the causes, which make the air gravitate, and render it elastic, be unknown: for notwithstanding we are ignorant of the original, whence these powers of the air are derived; yet we may receive much advantage from the bare knowledge of these powers. If we are but certain of the degree of force, wherewith they act, we shall know the extent of what is to be expected from them; we shall know the greatest height, to which it is possible by pumps to raise water; and shall thereby be prevented from making any useless efforts towards improving these instruments beyond the limits prescribed to them by nature; whereas without so much knowledge as this, we might probably have wasted in attempts of this kind much time and labour. . . . It is confessed by all, that Galileo greatly improved philosophy, by shewing, as we shall relate hereafter, that the power in bodies, which we call gravity, occasions them to move downwards with a

velocity equably accelerated; and that when any body is thrown forwards, the same power obliges it to describe in its motion that line, which is called by geometers a parabola: yet we are ignorant of the cause, which makes bodies gravitate. But although we are unacquainted with the spring, whence this power in nature is derived, nevertheless we can estimate its effects. When a Body falls perpendicularly, it is known, how long time it takes in descending from any height whatever: and if it be thrown forward, we know the real path, which it describes; we can determine in what direction, and with what degree of swiftness it must be projected, in order to its striking against any object desired; and we can also ascertain the very force, wherewith it will strike. Sir Isaac Newton has further taught, that this power of gravitation extends up to the moon, and causes that planet to gravitate as much towards the earth, as any of the bodies, which are familiar to us, would, if placed at the same distance: he has proved likewise, that all the planets gravitate towards the sun, and towards one another; and that their respective motions follow from this gravitation. All this he has demonstrated upon indisputable geometrical principles, which cannot be rendered precarious for want of knowing what it is, which causes these Bodies thus mutually to gravitate: any more than we can doubt of the propensity in all the bodies about us, to descend towards the earth; or can call in question the fore-mentioned propositions of Galileo, which are built upon that principle. And as Galileo has shewn more fully, than was known before, what effects were produced in the motion of bodies by their gravitation towards the earth; so Sir Isaac Newton, by this his invention, has much advanced our knowledge in the celestial motions. By discovering that the moon gravitates towards the sun, as well as towards the earth; he has laid open those intricacies in the moon's motion, which no astronomer, from observations only, could ever find out: and one kind of heavenly bodies, the comets, have their motion now clearly ascertained; whereof we had before no true knowledge at all.

Doubtless it might be expected, that such surprising success should have silenced, at once, every cavil. But we have seen the contrary. For because this philosophy professes modestly to keep within the extent of our faculties, and is ready to confess its imperfections, rather than to make any fruitless attempts to conceal them, by seeking to cover the defects in our knowledge with the vain ostentation of rash and groundless conjectures; hence has been taken an occasion to insinuate that we are led to miraculous causes, and the occult qualities of the schools.

But the first of these accusations is very extraordinary. If by calling these causes miraculous nothing more is meant than only, that they often appear

to us wonderful and surprising, it is not easy to see what difficulty can be raised from thence; for the works of nature discover every where such proofs of the unbounded power, and the consummate wisdom of their author, that the more they are known, the more they will excite our admiration: and it is too manifest to be insisted on, that the common sense of the word miraculous can have no place here, when it implies what is above the ordinary course of things. The other imputation, that these causes are occult upon the account of our not perceiving what produces them, contains in it great ambiguity. That something relating to them lies hid, the followers of this philosophy are ready to acknowledge, nay desire it should be carefully remarked, as pointing out proper subjects for future inquiry. But this is very different from the proceeding of the schoolmen in the causes called by them occult. For as their occult qualities were understood to operate in a manner occult, and not apprehended by us; so they were obtruded upon us for such original and essential properties in bodies, as made it vain to seek any farther cause; and a greater power was attributed to them, than any natural appearances authorized. For instance, the rise of water in pumps was ascribed to a certain abhorrence of vacuum, which they thought fit to assign to nature. And this was so far a true observation, that the water does move, contrary to its usual course, into the space, which otherwise would be left void of any sensible matter; and, that the procuring such a vacuity was the apparent cause of the water's ascent. But while we were not in the least informed how this power, called an abhorrence of a vacuum, produced the visible effects; instead of making any advancement in the knowledge of nature, we only gave an artificial name to one of her operations: and when the speculation was pushed so beyond what any appearances required, as to have it concluded, that this abhorrence of a vacuum was a power inherent in all matter, and so unlimited as to render it impossible for a vacuum to exist at all; it then became a much greater absurdity, in being made the foundation of a most ridiculous manner of reasoning; as at length evidently appeared, when it came to be discovered, that this rise of the water followed only from the pressure of the air, and extended itself no farther, than the power of that cause. The scholastic style in discoursing of these occult qualities, as if they were essential differences in the very substances, of which bodies consisted, was certainly very absurd; by reason it tended to discourage all farther inquiry. But no such ill consequences can follow from the considering of any natural causes, which confessedly are not traced up to their first original. How shall we ever come to the knowledge of the several original causes of things, otherwise than by storing up all intermediate causes which we can discover? Are all the original and essential properties of matter so very obvious, that

none of them can escape our first view? This is not probable. It is much more likely, that, if some of the essential properties are discovered by our first observations, a stricter examination should bring more to light.

But in order to clear up this point concerning the essential properties of matter, let us consider the subject a little distinctly. We are to conceive, that the matter, out of which the universe of things is formed, is furnished with certain qualities and powers, whereby it is rendered fit to answer the purposes, for which it was created. But every property, of which any particle of this matter is in itself possessed, and which is not barely the consequence of the union of this particle with other portions of matter, we may call an essential property: whereas all other qualities or attributes belonging to bodies, which depend on their particular frame and composition, are not essential to the matter, whereof such bodies are made; because the matter of these bodies will be deprived of those qualities, only by the dissolution of the body, without working any change in the original constitution of one single particle of this mass of matter. *Extension* we apprehend to be one of these essential properties, and *impenetrability* another. These two belong universally to all matter; and are the principal ingredients in the idea, which this word matter usually excites in the mind. Yet as the idea, marked by this name, is not purely the creature of our own understandings, but is taken for the representation of a certain substance without us; if we should discover, that every part of the substance, in which we find these two properties, should likewise be endowed universally with any other essential qualities; all these, from the time they come to our notice, must be united under our general idea of matter. How many such properties there are actually in all matter we know not; those, of which we are at present apprized, have been found out only by our observations on things; how many more a farther search may bring to light, no one can say; nor are we certain, that we are provided with sufficient methods of perception to discern them all. Therefore, since we have no other way of making discoveries in nature, but by gradual inquiries into the properties of bodies; our first step must be to admit without distinction all the properties, which we observe; and afterwards we must endeavour, as far as we are able, to distinguish between the qualities, wherewith the very substances themselves are indued, and those appearances, which result from the structure only of compound bodies. Some of the properties, which we observe in things, are the attributes of particular bodies only; others universally belong to all, that fall under our notice. Whether some of the qualities and powers of particular bodies, be derived from different kinds of matter entering their composition, cannot, in the present imperfect state of our knowledge, absolutely be decided; though we have not yet any reason to conclude, but that all the bodies, with which we

converse, are framed out of the very same kind of matter, and that their distinct qualities are occasioned only by their structure; through the variety whereof the general powers of matter are caused to produce different effects. On the other hand, we should not hastily conclude, that whatever is found to appertain to all matter, which falls under our examination, must for that reason only be an essential property thereof, and not be derived from some unseen disposition in the frame of nature. Sir Isaac Newton has found reason to conclude, that *gravity* is a property universally belonging to all the perceptible bodies in the universe, and to every particle of matter, whereof they are composed. *But yet he no where asserts this property to be essential to matter.* And he was so far from having any design of establishing it as such, that, on the contrary, he has given some hints worthy of himself at a cause for it; and expressly says, that he proposed those hints to shew that he had no such intention.

It appears from hence, that it is not easy to determine, what properties of Bodies are essentially inherent in the matter, out of which they are made, and what depend upon their frame and composition. But certainly whatever properties are found to belong either to any particular systems of matter or universally to all, must be considered in philosophy; because philosophy will be otherwise imperfect. Whether those properties can be deduced from some other appertaining to matter, either among those, which are already known, or among such as can be discovered by us, is afterwards to be sought for the farther improvement of our knowledge. But this inquiry cannot properly have place in the deliberation about admitting any property of matter or bodies into philosophy; for that purpose it is only to be considered, whether the existence of such a property has been justly proved or not. Therefore to decide what causes of things are rightly received into natural philosophy, requires only a distinct and clear conception of what kind of reasoning is to be allowed of as convincing, when we argue upon the works of nature.

The proofs in natural philosophy cannot be so absolutely conclusive, as in the mathematics. For the subjects of that science are purely the ideas of our own minds. They may be represented to our senses by material objects, but they are themselves the arbitrary productions of our own thoughts; so that as the mind can have a full and adequate knowledge of its own ideas, the reasoning in geometry can be rendered perfect. But in natural knowledge the subject of our contemplation is without us, and not so compleatly to be known: therefore our method of arguing must fall a little short of absolute perfection. It is only here required to steer a just course between the conjectural method of proceeding, against which I have so largely spoke; and demanding so rigorous a proof, as will reduce all philosophy to mere scepticism, and exclude all prospect of making any progress in the knowledge of nature.

NEWTON'S PRINCIPIA

Preface

SINCE THE ANCIENTS (as we are told by *Pappus*), made great account of the science of mechanics in the investigation of natural things; and the moderns, laying aside substantial forms and occult qualities, have endeavoured to subject the phænomena of nature to the laws of mathematics, I have in this treatise cultivated mathematics so far as it regards philosophy. The ancients considered mechanics in a twofold respect; as rational, which proceeds accurately by demonstration; and practical. To practical mechanics all the manual arts belong, from which mechanics took its name. But as artificers do not work with perfect accuracy, it comes to pass that mechanics is so distinguished from geometry, that what is perfectly accurate is called geometrical; what is less so, is called mechanical. But the errors are not in the art, but in the artificers. He that works with less accuracy is an imperfect mechanic; and if any could work with perfect accuracy, he would be the most perfect mechanic of all; for the description of right lines and circles, upon which geometry is founded, belongs to mechanics. Geometry does not teach us to draw these lines, but requires them to be drawn; for it requires that the learner should first be taught to describe these accurately, before he enters upon geometry; then it shows how by these operations problems may be solved. To describe right lines and circles are problems, but not geometrical problems. The solution of these problems is required from mechanics; and by geometry the use of them, when so solved, is shown; and it is the glory of geometry that from those few principles, brought from without, it is able to produce so many things. Therefore geometry is founded in mechanical practice, and is nothing but that part of universal mechanics which accurately proposes and demonstrates the art of measuring. But since the manual arts are chiefly conversant in the moving of bodies, it comes to pass that geometry is commonly referred to their magnitudes, and mechanics to their motion. In this sense rational mechanics will be the science of motions resulting from any forces whatsoever, and of the forces required to produce any motions, accurately proposed and demonstrated. This part of mechanics was cultivated by the ancients in the five powers which relate to manual arts, who considered gravity (it not being a manual power), no otherwise than as it moved weights by those powers. Our design not respecting arts, but philosophy, and our subject not manual but natural powers, we consider chiefly those things which relate to gravity, levity, elastic force, the resistance of fluids, and the like forces, whether attrac-

tive or impulsive; and therefore we offer this work as the mathematical principles of philosophy; for all the difficulty of philosophy seems to consist in this—from the phænomena of motions to investigate the forces of nature, and then from these forces to demonstrate the other phænomena; and to this end the general propositions in the first and second book are directed. In the third book we give an example of this in the explication of the System of the World; for by the propositions mathematically demonstrated in the former books, we in the third derive from the celestial phænomena the forces of gravity with which bodies tend to the sun and the several planets. Then from these forces, by other propositions which are also mathematical, we deduce the motions of the planets, the comets, the moon, and the sea. I wish we could derive the rest of the phænomena of nature by the same kind of reasoning from mechanical principles; for I am induced by many reasons to suspect that they may all depend upon certain forces by which the particles of bodies, by some causes hitherto unknown, are either mutually impelled towards each other, and cohere in regular figures, or are repelled and recede from each other; which forces being unknown, philosophers have hitherto attempted the search of nature in vain; but I hope the principles here laid down will afford some light either to this or some truer method of philosophy. . . .

Book III

RULES OF REASONING IN PHILOSOPHY

Rule I. *We are to admit no more causes of natural things than such as are both true and sufficient to explain their appearances.*

To this purpose the philosophers say that Nature does nothing in vain, and more is in vain when less will serve; for Nature is pleased with simplicity, and affects not the pomp of superfluous causes.

Rule II. *Therefore to the same natural effects we must, as far as possible, assign the same causes.*

As to respiration in a man and in a beast; the descent of stones in Europe and in America; the light of our culinary fire and of the sun; the reflection of light in the earth, and in the planets.

Rule III. *The qualities of bodies, which admit neither intension nor remission of degrees, and which are found to belong to all bodies within the reach of our experiments, are to be esteemed the universal qualities of all bodies whatsoever.*

For since the qualities of bodies are only known to us by experiments, we are to hold for universal all such as universally agree with experiments and such as are not liable to diminution can never be quite taken away. We are

certainly not to relinquish the evidence of experiments for the sake of dreams and vain fictions of our own devising; nor are we to recede from the analogy of Nature, which uses to be simple, and always consonant to itself. We no other way know the extension of bodies than by our senses, nor do these reach it in all bodies; but because we perceive extension in all that are sensible, therefore we ascribe it universally to all others also. That abundance of bodies are hard, we learn by experience; and because the hardness of the whole arises from the hardness of the parts, we therefore justly infer the hardness of the undivided particles not only of the bodies we feel but of all others. That all bodies are impenetrable, we gather not from reason, but from sensation. The bodies which we handle we find impenetrable, and thence conclude impenetrability to be an universal property of all bodies whatsoever. That all bodies are moveable, and endowed with certain powers (which we call the *vires inertiae*) of persevering in their motion, or in their rest, we only infer the like properties observed in the bodies which we have seen. The extension, hardness, impenetrability, mobility, and *vis inertiae* of the whole, result from the extension, hardness, impenetrability, mobility, and *vires inertiae* of the parts; and thence we conclude the least particles of all bodies to be also all extended, and hard, and impenetrable, and moveable, and endowed with their proper *vires inertiae*. And this is the foundation of all philosophy. Moreover, that the divided but contiguous particles of bodies may be separated from one another, is matter of observation; and, in the particles that remain undivided, our minds are able to distinguish yet lesser parts, as is mathematically demonstrated. But whether the parts so distinguished, and not yet divided, may, by the powers of Nature, be actually divided and separated from one another, we cannot certainly determine. Yet, had we the proof of but one experiment that any undivided particle, in breaking a hard and solid body, suffered a division, we might by virtue of this rule conclude that the undivided as well as the divided particles may be divided and actually separated to infinity.

Lastly, if it universally appears, by experiments and astronomical observations, that all bodies about the earth gravitate towards the earth, and that in proportion to the quantity of matter which they severally contain; that the moon likewise, according to the quantity of its matter, gravitates towards the earth; that, on the other hand, our sea gravitates towards the moon; and all the planets mutually one towards another; and the comets in like manner towards the sun; we must, in consequence of this rule, universally allow that all bodies whatsoever are endowed with a principle of mutual gravitation. For the argument from the appearances concludes with more force for the universal gravitation of all bodies than for their impenetrability; of which, among those in the celestial regions, we have no experiments, nor any manner

of observation. Not that I affirm gravity to be essential to bodies: by their *vis insita* I mean nothing but their *vis inertiae*. This is immutable. Their gravity is diminished as they recede from the earth.

Rule IV. *In experimental philosophy we are to look upon propositions collected by general induction from phaenomena as accurately or very nearly true, notwithstanding any contrary hypotheses that may be imagined, till such time as other phaenomena occur, by which they may either be made more accurate, or liable to exceptions.*

This rule must follow, that the argument of induction may not be evaded by hypotheses.

GENERAL SCHOLIUM

. . . Hitherto we have explained the phaenomena of the heavens and of our sea by the power of gravity, but have not yet assigned the cause of this power. This is certain, that it must proceed from a cause that penetrates to the very centres of the sun and planets, without suffering the least diminution of its force; that [it] operates not according to the quantity of the surfaces of the particles upon which it acts (as mechanical causes use to do), but according to the quantity of the solid matter which they contain, and propagates its virtue on all sides to immense distances, decreasing always in the duplicate proportion of the distances. Gravitation towards the sun is made up out of the gravitations towards the several particles of which the body of the sun is composed; and in receding from the sun decreases accurately in the duplicate proportion of the distances as far as the orb of Saturn, as evidently appears from the quiescence of the aphelions of the planets; nay, and even to the remotest aphelions of the comets, if those aphelions are also quiescent. But hitherto I have not been able to discover the cause of those properties of gravity from phaenomena, and I frame no hypotheses; for whatever is not deduced from the phaenomena is to be called an hypothesis; and hypotheses, whether metaphysical or physical, whether of occult qualities or mechanical, have no place in experimental philosophy. In this philosophy particular propositions are inferred from the phaenomena, and afterwards rendered general by induction. Thus it was that the impenetrability, the mobility, and the impulsive force of bodies, and the laws of motion and of gravitation, were discovered. And to us it is enough that gravity does really exist, and act according to the laws which we have explained, and abundantly serves to account for all the motions of the celestial bodies, and of our sea. . . .

IX

THE ELABORATION OF THE SOVEREIGN STATE

CARDINAL RICHELIEU

ARMAND JEAN DU PLESSIS DE RICHELIEU (1585-1642) was born into a family of lesser nobility, became bishop of Luçon at the age of twenty-one, and for a number of years served his office in that small diocese. Chosen to represent the clergy of Poitou in the Estates-General of 1614, he so impressed the queen-regent, Marie de' Medici, that she employed him as one of her chief advisers. When in 1617 the young king Louis XIII revolted against his mother's supervision, both Marie de' Medici and Richelieu were banished from court, but in 1622 a reconciliation took place and Richelieu secured both a cardinal's hat and a seat in the council of state. In two more years his cunning, clarity of mind, and resolute will had won him the position of chief minister to the king, a position which he held until his death.

Like many another statesman, Richelieu is remembered for his forceful sponsoring of the major trends of his time. In an age when internal disorder and external danger made state-building a necessity, he worked unceasingly and successfully to perfect the machinery of monarchical absolutism. His service to the Bourbon dynasty also took the form of steering France through the intricate mazes of the Thirty Years War, in the course of which he found it necessary to support not only Bourbons against Hapsburgs but also Protestants against Catholics and the German princes against their emperor. Although Richelieu died in 1642, the Peace of Westphalia (1648) was a great victory for his policies and for the dynasty which he served. In his cold-blooded rationalism and the primarily secular nature of his aims Richelieu was representative of tendencies which grew stronger as the seventeenth century advanced. The following selection, written toward the end of his life and here translated from the French, is his own summary and justification of his career.



POLITICAL TESTAMENT

Part I

CHAPTER I: SUCCINCT NARRATION OF ALL THE GREAT ACTS OF THE KING UP UNTIL THE PEACE OF THE YEAR——

WHEN YOUR MAJESTY decided to grant me entry into his councils and considerable responsibility in the management of his affairs, I can truthfully say that the Huguenots shared control of the State with him, that the great nobles behaved as if they were not his subjects, and the powerful governors of the provinces as if they were sovereign in their jurisdictions.

I may say that their bad example was so prejudicial to the kingdom that the most orderly groups were aware of their own shortcomings and in certain cases diminished your legitimate authority as much as they possibly could in order to increase their own beyond the bounds of reason.

I may say that each gauged his merit by his audacity; that instead of esteeming the benefits that they received from Your Majesty at their proper worth they evaluated them only in the light of the disorderliness of their ambitions, and that the most enterprising were considered the wisest, and were often the happiest.

I may say further that foreign alliances were scorned, that private interests received preference over public interests, in short, the prestige of the crown was diminished, and so very different from what it should have been, owing to the failings of those then principally responsible for the conduct of your affairs, that it was almost impossible to perceive it.

It was no longer possible without losing everything to tolerate the actions of those to whom Your Majesty had entrusted the helm of your ship of state, and moreover, it was not possible to change this all at once without violating the laws of prudence which forbid jumping from one extreme to the other.

The poor state of your affairs seemed to force you into hurried decisions, without choice of time or means, and yet both choices had to be made, in order to profit from the change that your wisdom saw necessary to make.

The best minds did not think it possible to pass all the reefs that appeared in such uncertain times without being wrecked. There were many people at court who accused those who wanted to do so of foolhardiness; and knowing that princes readily blame on those near to them the unfortunate outcome of courses which they have been advised to follow, so few people foresaw success from the changes it was rumored I wished to make that many regarded my fall as certain even before your majesty had raised me to power.

Despite all the difficulties which I pointed out to Your Majesty, knowing what kings can accomplish when they make good use of their power I made bold to promise that you would have reason to be satisfied with your State and that within a brief period of time your wisdom and the grace of God would change the face of this kingdom.

I promised Your Majesty to apply myself to devote all my labors and all the authority that you were pleased to give me in order to ruin the Huguenot party and to humble the pride of the great nobles, to bring all your subjects to their duty and to raise your repute in foreign lands to the estate which it deserved.

I called to your attention the fact that to attain such an end your confidence was absolutely necessary and that although in the past all those who had

served you thought there was no better or more certain way of winning and keeping your confidence than by separating you from the Queen your mother, I took the opposite course and did everything within my power to maintain between Your Majesties the close relations so important to your reputations and so beneficial to the well being of the kingdom.

And thus the success of the good plans which it pleased God to give me for the guidance of this state will justify to future centuries the firmness with which I steadfastly carried out this design. Your Majesty will bear witness that I did everything I possibly could to prevent the guile of many evil intentioned men from becoming powerful enough to divide that which being united by nature should also have been united by grace. If after having for several years successfully resisted their maneuvers their malice finally prevailed it is a source of deep consolation to me that Your Majesty was often heard to say that when I had the glory of the Queen your mother uppermost in my mind she was working for my ruin. . . .

The Huguenots lost no opportunity to increase their strength; in 1624 they seized certain ships which the Duke of Nevers was readying against the Turk and subsequently prepared a strong force against Your Majesty.

Although the fleet had been sadly neglected up until that time and although it did not have a single ship the navy fought with such daring and courage with whatever vessels it could secure from your subjects, twenty from Holland and seven *roberges*¹ from England, that it defeated the fleet of the people of La Rochelle. . . .

In the same manner the Isle of Ré which had some time before been so unfairly seized by the people of La Rochelle was taken. Four or five thousand men whom they had brought in to defend it were routed and Soubise who was the commander was forced to flee to Oléron; from there your supporters drove him not only from Oléron but also from the kingdom itself.

This victory drove those rebels into a peace so glorious for Your Majesty that the most critical were extremely satisfied and all avowed that there had never been anything like it before.

The kings your predecessors had in the past accepted peace from their subjects rather than granting it to them. Although they never hesitated to fight a single war, in every one they were losers in the treaties which they made with their subjects; and although at that time Your Majesty had many other matters at hand you laid down the terms of peace, keeping Fort Louis as a citadel at La Rochelle as well as the islands of Ré and d'Oléron as two other strong points. . . .

At the same time Your Majesty protected the Duke of Savoy from the oppression of the Spaniards who had openly attacked him, and though they

¹ [A type of English war vessel.]

had one of the largest armies seen in Italy for many years and though it was commanded by the Duke of Ferra, they were prevented from seizing Veruc, which your armies, joined with those of the Duke of Savoy, defended with such glory that they were forced with shame to lift the siege.

The Spaniards having shortly thereafter taken all the passes of Grisons and having fortified the best positions of all the valleys of this area, Your Majesty, being unable by negotiation to save his old allies from this invasion in which these unjust usurpers were strengthened all the more since the Pope supported them in the vain hope of securing some advantage for religion, obtained by force of arms what he could not obtain by force of reason.

By this means Your Majesty would have forever freed this nation from the tyranny of the House of Austria, had not Ferra, your Ambassador in Spain, concluded, at the solicitation of the Cardinal de Berule (as he later confessed), without your knowledge and contrary to the express orders of Your Majesty, an extremely disadvantageous treaty, to which you finally adhered in order to please the Pope, who claimed to be in no way involved in this matter. . . .

If it was of exceptional prudence to have engaged the forces of the enemies of your state, for ten years, with the forces of your allies, placing your hand to your purse and not to arms, it is still another instance of combined wisdom and courage to have entered into open warfare when your allies could no longer stand alone, showing that in husbanding the exertions of the kingdom, you did as those stewards who, having been careful in amassing money, know when to spend it to secure themselves against greater losses.

To have made a number of simultaneous attacks in different places, which neither the Romans nor the Ottomans ever did, might have seemed to many people proof of very great imprudence and daring. And while this may have been proof of your power, it was strong proof of your judgment, since it was necessary so to occupy your enemies in all regions that they could be invincible in none. . . .

There are several things that should be noted in this war.

The first is that Your Majesty entered the war only when you could no longer avoid so doing. . . . This is all the more to Your Majesty's glory inasmuch as, being at peace, you were several times called upon by your allies to take up arms, without wishing to do so, and inasmuch as during the war your enemies frequently suggested a separate peace, without your ever being willing to heed them, because you would not separate yourself from the interests of your allies. . . .

The second remark worthy of great consideration on this subject is that Your Majesty never wished, in order to secure himself against the peril of

war, to expose Christendom to the peril of the arms of the Ottomans, which were often offered to him.

Your Majesty was not unaware that you could justly accept such aid, but this knowledge was nevertheless not strong enough to bring you to a decision hazardous to the faith, while advantageous toward enabling you to have peace.

The example of some of your predecessors, and of various Princes of the House of Austria, which particularly affects to appear as religious before God when it is to its own interests,—this example was not strong enough to bring you to do that which history teaches us was several times practised by others.

The third circumstance to cause astonishment in this war, is the great number of armies and the sums of money necessary to carry it on.

As the greatest princes of the earth have always hesitated to undertake two wars simultaneously, posterity will find it hard to believe that this kingdom was capable of supporting, at its own expense, three land armies and two fleets, without counting those of its allies, to the support of which it contributed not a little. . . .

If I add that these various undertakings did not prevent this Crown from fortifying, at the same time, all the frontiers so perfectly, that instead of being open at all points to its enemies as previously, those enemies can now regard them only with astonishment, I touch another point of no less significance to posterity, since, placing this kingdom in a state of security forever, it will derive as much benefit therefrom as Your Majesty in the past had labor and troubles.

JACQUES BÉNIGNE BOSSUET

WHAT COLBERT was to the age of Louis XIV in economics and statecraft, Jacques Bénigne Bossuet (1627-1704) was in religion. A great preacher, administrator, historian, polemicist, and educator, he left a deep impress upon the French mind and deserves to be numbered among the most influential Catholic thinkers of modern times.

Perhaps the central preoccupation of Bossuet's life was his desire to restore the unity of the Christian church by persuading the Protestants of the futility of their cardinal principle of private judgment. He therefore condoned Louis XIV's revocation in 1685 of the Edict of Toleration which Henry IV had granted to the Huguenots in 1598, though, like the pope, he deplored the accompanying persecution of Protestants and the use of force to obtain conversions. Near the end of his life he carried on a lengthy correspondence with the German philosopher Leibniz, who shared Bossuet's desire to make an end to the bitter quarrels that had raged for nearly two centuries among the Christian sects and who had been unofficially authorized by some leading German Lutherans to explore with Bossuet—then the acknowledged intellectual leader of French Catholicism—the possibilities of healing the breach that had been opened in Martin Luther's lifetime. Though some mutual concessions were made in matters of church discipline, the unwillingness of Bossuet to yield in the slightest on any question of doctrine brought the negotiations to a fruitless conclusion.

Next to his consuming interest in the conversion of Protestants, Bossuet was probably most deeply concerned to uphold and solidify the centralized monarchy of Louis XIV. He had been educated by the Jesuits and had early come under the influence of Descartes's philosophy. He retained from that body of ideas an overriding intellectual preference for everything that expressed uniformity, regularity, rationality, symmetry, stability, clarity, and order—the geometrical virtues—which are hallmarks of Cartesian thought, of French classicism, and of the political organization that Louis XIV sought to establish.

He was at the same time a doughty defender of the Gallican liberties of the French church. In 1682 he wholeheartedly embraced the side of Louis XIV in the king's quarrel with the papacy over the question of the *régale*—in which the king's competence to nominate certain French bishops was at stake. He was the author of the "Four Propositions" of Gallicanism that triumphed at that time and that long remained a fundamental part of French public law. It was largely owing to Bossuet that the Assembly of the French Clergy rallied in support of the royal position on that occasion, and the fact that Bossuet's "Gallican Articles" were burned in Rome by order of the pope only served to magnify his standing in the French church.

As the most eloquent preacher of his generation he enjoyed great favor and exercised much influence at court. The years from 1660 to 1669 saw his rapid promotion to high ecclesiastical office—he was made a bishop in 1669—and in 1670 he was put in charge of the education of the heir to the throne. For the

use of his royal pupil he composed a number of lucid and forceful texts, among which the most celebrated are his *Discourse on Universal History* (still regarded as a classic expression of the spiritual, or Providential, interpretation of history) and his *Politics Drawn from the Very Words of Holy Scripture*. The selection that follows is from the French of the latter work, the edition used being Volume XXXVI of the *Oeuvres de Bossuet, Evêque de Meaux, revues sur les manuscrits originaux* . . . (Versailles: J. A. Lebel, 1818). Bossuet made his own French translations of biblical passages from the Latin text of the Vulgate, and it has been thought best to translate them directly into English from Bossuet's French; hence the wording of such passages will be found to vary from that of the standard English versions of the Bible.



POLITICS DRAWN FROM THE VERY WORDS OF HOLY SCRIPTURE

TO MONSEIGNEUR LE DAUPHIN:

GOD is THE King of Kings: it is His prerogative to teach them and to guide them as His ministers. Listen, then, my lord, to the lessons He gives to them in His scriptures, and learn from Him the rules and examples upon which they ought to model their conduct.

Besides the other advantages of the scriptures, they have this one as well, that they recount the history of the world from its first origin and so make us see, better than all other works of history, the first principles on which governments have been constructed.

No work of history better reveals the good and the evil that are in the human heart; what upholds and what overthrows kingdoms; what religion can do to establish them and what impiety can do to destroy them.

The other virtues and vices are also portrayed in their true colors in the scriptures, and one sees nowhere else more clearly what are their true consequences.

There one sees the government of a people [the Hebrews] whose legislator was God Himself; one sees the abuses He repressed and the laws He established; these comprise the finest and the most just polity that ever was.

All that Sparta, all that Athens, all that Rome—to go back to the source, all that Egypt—and the best regulated states have had that was most wisely conceived was nothing by comparison with the wisdom that is contained in the law of God, from which all other laws have drawn whatever is best in them.

Therefore there has never been a more perfect constitution for a state than that under which God's people lived.

Moses, who composed it, was instructed by all the divine and human wisdom that can adorn a great and noble genius; and inspiration did nothing but bring to the last degree of perfection and certitude that which had been marked out by the customs and the knowledge of the wisest of all empires and of its greatest ministers, such as the patriarch Joseph, who like Moses was divinely inspired.

Two great kings of this nation, David and Solomon, one a warrior, the other a man of peace, both preeminent in the art of reigning, will provide you not only with examples from their lives but also with precepts, the former in his divine poems, the latter in the proverbs which eternal wisdom dictated to him.

Jesus Christ will teach you, in His own words and in those of His apostles, all the things that make a state happy: His gospel makes men all the more fit to be good citizens on this earth in that it teaches them to make themselves thereby worthy to become citizens of Heaven.

Finally, God, by Whom kings rule, forgets nothing that could teach them how to rule well. The ministers of princes and those who, under their authority, have a part in the government of states and in the administration of justice, will find in His words the lessons which God alone can give them. It is part of Christian morality to model the magistracy upon His laws, for God wishes to decide everything, that is to say, to give decisions for all ranks and conditions of men—and even more especially to him to whom all the others are subject.

This, my lord, is the greatest of all the undertakings one could propose to mankind, and they cannot be too attentive to the laws according to which they are to be judged by a sentence that will be eternal and irrevocable. Those who believe that piety is a weakness in politics will be confounded, for the one which you will see [in these pages] is truly divine.

Book I. On the Principles of Human Society

ARTICLE THREE: IN ORDER TO FORM THE NATIONS AND UNITE THE PEOPLES
IT WAS NECESSARY TO ESTABLISH A GOVERNMENT

Proposition 1. Among men all tends toward division and partiality.

It is not enough that men inhabit the same country or speak the same language because, having become intractable by reason of the violence of their passions and incompatible by reason of their different humors, they could not

be united except by submitting all together to a single government which would rule them all.

Lacking that, Abraham and Lot could not suffer one another and were constrained to separate. . . . [Gen. 13:6-7, 9.]

If Abraham and Lot, two just men, and so closely related besides, could not agree with one another over their servants, what disorder would not prevail among the wicked?

Proposition 2. Only the authority of a government can put a brake on the passions and on the violence that has become natural to man.

. . . Justice has no other support but authority and the subordination of powers.

This order is the restraint of license. When each does what he will, and has no other rule than his own desires, all becomes confusion. A Levite violated what was most holy in God's law. The scriptures give as the cause: "It was in those days that there was no king in Israel, and each man did as he would." [Judg. 17:6.] . . .

Proposition 4. In a well-regulated government each individual renounces the right to occupy by force that which pleases him.

Take government away and the earth with all its goods is as much the common property of men as air and light. God said to all men, "Increase and multiply and fill up the earth." [Gen. 1:28; 9:7.] He gave to all of them without distinction "all the grass that bears its seed on the earth, and all the woods which grow there." [Gen. 1:29.] According to this original law of nature, no one has any right to anything whatsoever, and all is fair booty for everyone.

In a well-regulated government no private individual has a right to occupy anything. Abraham, when he was in Palestine, even had to ask the rulers of the land for a plot of land in which to bury his wife, Sarah. . . .

Thus originates the right of property; and in general every right ought to come from the public authority, without its being permitted to invade or to attack anything by force.

Proposition 5. Through government each individual becomes stronger.

The reason is that each man is sustained by the others. All the forces of the nation flow together into a single force, and the sovereign magistrate has the right to collect them. . . . [Num. 32:6, 14, 17-18.] Thus the sovereign magistrate has in his hand all the forces of the nation which submits to his orders. "We will do," the whole people told Joshua, "everything that you command, and we will go wherever you send us. Death to him who resists your words and will not be obedient to all your orders! Only be firm, and act with vigor." [Josh. 1:16, 18.]

All force is given into the hands of the sovereign magistrate; each one contributes to strengthen it at the expense of his own power, and renounces his own life in the event that he should disobey. Everyone gains; for there reappears in the person of this supreme magistrate more force than that which was given up when he was acknowledged, for we find there all the force of the nation gathered up together to protect us.

Thus an individual is secure against oppression and violence because he has an invincible defender in the person of the prince, one who is incomparably more strong than all those among the people who might undertake to oppress him. . . .

The prince, by virtue of his office, is thus for every individual "a shelter in which to take refuge from wind and tempest and an overhanging rock under which he finds shade in a dry and burning land. Justice establishes peace; there is nothing more pleasing than to see men living in tranquillity: each one is in safety in his tent and enjoys rest and abundance." [Isa. 32:2, 17-18.] These are the natural fruits of a regular government.

In relying wholly on his own force, each man finds himself too weak to assert his most legitimate claims by reason of the multitude of rivals against whom he must be on guard. But under a legitimate power each one finds himself strong by entrusting all force to the magistrate whose interest it is to enforce peace so that he himself may be secure.

In a regular government widows, orphans, wards, even the infants in the cradle, are strong. Their property is safeguarded, the public assumes the care of their education, their rights are defended, and their cause is the magistrate's own affair. All the scriptures charge him to do justice to the poor and to the weak, to the widow, to the orphan, and to the ward. [Deut. 10:18; Ps. 81:3; *et alibi*.]

Thus it is with reason that St. Paul urges us "to pray untiringly and with fervor for kings and for all those who are endowed with public office so that we may pass our lives in tranquillity in all piety and chastity." [1 Tim. 2:1-2.]

From all this it follows that there is no worse condition than anarchy, that is to say, the state where there is no government nor any authority. Where everyone tries to do as he pleases no one does as he wishes; where there is no master everyone is master; where everyone is master everyone is a slave. . . .

ARTICLE FOUR: CONCERNING THE LAWS

Proposition 1. Laws must be combined with government in order to bring it to its perfection.

This is to say that it is not sufficient for the prince or for the sovereign magistrate to settle cases according to the circumstances [on each occasion]; but that

it is necessary to establish general rules of conduct so that government will be constant and uniform: and these are what are called laws.

Proposition 2. Outline of the original principles of all laws.

All laws are founded on the first law of all, which is that of nature, that is to say, on right reason and on natural equity. The laws ought to regulate things human and divine, public and private, and they were instituted by nature according to what St. Paul says: "That the Gentiles who have not the law, doing naturally that which is enjoined by the law, make a law for themselves and show the workings of the law written in their hearts by the testimony of their consciences and by their private thoughts that accuse or else defend themselves one against another." [Rom. 2: 14-15.]

The laws must establish sacred and profane jurisprudence, public as well as private rights, in a word, the strict observance of divine and human things among the citizens, together with punishments and rewards.

Thus before all else it is necessary to regulate the worship of God. This is where Moses began, and he laid this foundation of Israelite society. At the head of the Decalogue we find this fundamental precept: "I am the Lord, thou shalt have no other God beside Me," and so on. [Exod. 20:2-6, etc.]

Then come the precepts that concern society. "Thou shalt not kill, thou shalt not steal," and the others. . . . Such is the general order of all legislation.

Proposition 3. There is an order in the laws.

The first principle of the laws is that they should recognize the divinity from whence come all good things and even existence itself. "Fear God and keep His commandments, for such is the whole duty of man." [Eccles. 12:13.] And the other [principle] is "to do unto others as ye would that they should do unto you." [Matt. 7:12; Luke 6:13.]

Proposition 4. A great king explains the nature of the laws.

Interest and passion corrupt men. The law is disinterested and free from passion; "it is without stain and without corruption; it guides our souls; it is faithful: it speaks without disguises and without flattery. It makes infants wise." [Ps. 18:8.] It anticipates experience in them and fills them, from their earliest childhood, with good maxims. "It is upright and rejoices the heart." [Ps. 18:9.] We are delighted to see how equal it is with every man, and how it keeps its integrity in the midst of corruption. "It is full of light"; in the law are collected all the most pure lights of reason. "It is true and is its own justification" [Ps. 18:10]; for it follows the first principles of natural equity with which no one can quarrel unless he is wholly blind. "It is more to be desired than gold, and more sweet than honey" [Ps. 18:11]: from it come abundance and security.

David calls attention to these excellent properties of God's law, without which there is no true law.

Proposition 5. The law punishes and rewards.

This is why the Mosaic law is found to be everywhere bound up with punishments: it is this principle that makes them [penalties] as just as they are necessary. The first of all laws, as we have observed, is that we shall do nothing to another person that we would not have done to us. Those who depart from this original law, so right and so equitable, deserve from that moment to have done to them that which they do not wish to have done: they have made others suffer that which they did not wish to have done to them; they deserve to be made to suffer something they do not wish. This is the just foundation of punishments, and conforms to the words pronounced against Babylon. "Take vengeance on her; do to her as she has done." [Jer. 1:15.] She has made others suffer, make her suffer.

Rewards are based on the same principle. Whoever does a service to the public or to private individuals should be served in return by the public and by private individuals.

Proposition 6. The law is sacred and inviolable.

In order to understand perfectly the nature of the law one must observe that all those who have spoken well about it have regarded it, in its origin, as a pact and solemn treaty by which men, by the authority of princes, agree together concerning that which is needful for establishing their society.

By this I do not mean to say that the authority of the laws depends upon the consent and agreement of the peoples, but only that the prince (who, in any case, has by his nature no other interest than that of the public) is aided by the wisest heads of the nation and is supported by the experience of past ages.

This truth, which is unchanging among all men, is admirably explained in the scriptures. God assembles His people, causes to be propounded before them all the laws by which He established sacred and profane jurisprudence, the public and private law of the nation, and makes them all agree to it in His presence. . . . [Deut. 24:2, 9-15.]

Moses received this contract in the name of the whole people who had given their consent to it. . . . [Deut. 5:5.]

The whole people explicitly agreed to the contract. "The Levites said in a loud voice: 'Cursed be he who does not abide firmly in all the words of this law, and who does not fulfill them'; and the whole people answered: 'Amen, so shall it be.'" [Deut. 27:14, 26.]

I must observe that God had no need of the consent of men to legitimate

His law, for He was their creator and could oblige them to do what pleased Him; nevertheless, to make the obligation more solemn and more strong He obliged them to accept the law by an express and voluntary contract.

Proposition 7. The law is considered to have a divine origin.

The treaty of which I have just been speaking had a double effect: it united the people to God, and it united the people among themselves.

The people could not unite among themselves in an inviolable society if the contract of union had not been made in their midst in the presence of a superior power, such as that of God, the natural protector of human society, and the ineluctable avenger of all violations of the law.

But when men assume an obligation to God, promising Him to keep, both toward Him and among themselves, all the articles of the law that He proposes to them, then the agreement is inviolable, authorized by a power to whom all is subordinate.

It is for this reason that all peoples have wished to claim a divine origin for their laws, and those whose laws had no such origin have pretended that they have had it. . . .

Proposition 8. There are fundamental laws that cannot be changed; it is even very dangerous to change unnecessarily those which are not fundamental.

It is written, principally concerning these fundamental laws, that when they are violated, "all the foundations of the earth are shaken" [Ps. 81:5], after which there can only ensue the fall of empires.

In general, laws are not laws if they are not in some sense inviolable. To mark their solidity and permanence Moses ordained "that they shall all be written clearly and legibly on stone." [Deut. 27:8.] Joshua carried out this injunction. [Josh. 8:32.]

The other civilized peoples subscribe to this maxim. "Let an edict be made and let it be written according to the inviolable law of the Medes and Persians, Ahasuerus was told by the wise men of his council who were always near his person. These wise men knew the laws and jurisprudence of the ancients." [Esther 1:13, 19.] Such attachment to the laws and to ancient maxims strengthens the bonds of society and makes states immortal.

One loses one's veneration for the laws when one sees them too often changed. It is then that nations seem to totter as if out of their senses and made drunk by wine, in the prophets' manner of speaking. [Isa. 19:14.] Dizziness seizes them and their fall is certain: "because the peoples have violated the laws, altered the public polity and broken the most solemn compacts." [Isa. 24:5.] Their condition is that of a restless sick person who does not know what to do with his limbs. . . .

*Book II. Concerning Authority: That Royal and Hereditary
Rule Is the Best Government*

ARTICLE ONE: BY WHOM AUTHORITY HAS BEEN EXERCISED SINCE THE
BEGINNING OF THE WORLD

Proposition 7. Monarchy is the most general form of government, the most ancient, and hence the most natural.

The people of Israel submitted of its own accord to a monarchy, which was the universally prevailing form of government. "Establish for us a king to judge us, as all the other peoples have." [I Sam. 8:5.]

If God was angry it was because up to that time He had governed this people by Himself and was its real king. This is why He said to Samuel: "It is not thee that they reject; they do not wish Me to rule over them." [I Sam. 8:7.]

For the rest, this type of government was so much the most natural that one finds it in the beginning among all peoples.

We have seen it in sacred history; but now a brief recourse to profane history will show us that those who have lived under a republic originally lived under kings.

Rome began in this fashion and finally reverted to it as if to its natural state.

It was only late in their history, and little by little, that the cities of Greece formed their republics. The ancient opinion among the Greeks was that expressed by Homer in this celebrated sentence of the Iliad. "To have many princes is not a good thing: let there be but one prince and one king."

At present there is not a single republic that was not formerly subject to kings. The Swiss were subjects of the princes of the House of Austria. The United Provinces [of the Netherlands] have only lately withdrawn themselves from the domination of Spain and from that of the House of Burgundy. The free cities of Germany had their respective lords, not to mention the Emperor, who was the common head of the whole Germanic body. The cities of Italy, which transformed themselves into republics in the time of the Emperor Rudolph, bought from him their liberty. Even Venice, which boasts of having been a republic since its origin, was still subject to the emperors in the reign of Charlemagne and for a long time afterwards; then she became a democracy, from which condition she has evolved rather recently into the state in which we see her.

The whole world, then, began with monarchies, and almost all of it has remained so, as though in its most natural state.

Moreover, we have seen that it [monarchy] has its foundation and its model in the paternal authority, that is, in nature itself.

Men are all born subjects, and paternal authority, which accustoms them to obey, teaches them at the same time to have but a single chief.

Proposition 8. Monarchical government is the best.

If it is the most natural it is consequently the most durable, and hence the strongest.

It is also the one most hostile to internal strife, which is the most radical defect in states and the most certain cause of their ruin; this we see from these words which have already been cited: "Every kingdom divided against itself will be laid waste: any city or any family divided against itself will not endure." [Matt. 12:25.]

We have seen that our Lord followed, in this sentence, the natural evolution of government, and seems to have wished to assign to kingdoms and to cities the same means of achieving unity as that established by nature in families.

Indeed, it is natural that when families find it well to unite in order to form a political body they should organize as though by themselves under the form of government most suitable for them.

When men form states they seek to unite themselves, and they are never more united than when they are under a single chief. They are never stronger, moreover, for then everything goes harmoniously. . . .

CONCLUSION

We have, then, established, by the scriptures:

That royalty has its origin in the divinity itself

That God, therefore, visibly exerted [royal authority] over men from the origins of the world

That He continued this supernatural and miraculous exercise of power over the people of Israel up to the time when kings were established

That He then chose [for them] a hereditary monarchical state as being the most natural and the most durable

That the exclusion of the sex that is born to obey was according to the nature of sovereign power

Thus we have found that by the order of divine Providence the constitution of this kingdom was from its origin the most closely in conformity with God's will as it is declared in His scriptures.

Yet we have not forgotten that there appear in antiquity other forms of government concerning which God has prescribed nothing to the human race; consequently each people ought to observe, as divinely ordained, the form of government established in its country, for God is a God of peace and desires tranquillity in human affairs.

But since we write in a monarchical state, and for a prince in the line of succession to so great a kingdom, we shall henceforth apply all the teachings that we shall draw from the scriptures to the form of government under which we live; although by the things that will be said about this state it will be easy to determine what is applicable to the others.

*Book III. In Which We Begin to Explain the Nature
and Attributes of Royal Authority*

ARTICLE ONE: WE NOTE ITS ESSENTIAL ASPECTS

Single Proposition. There are four attributes or qualities essential to royal authority.

First, royal authority is sacred;

Second, it is paternal;

Third, it is absolute;

Fourth, it is subjected to reason.

These propositions are to be established one after the other in the following articles.

ARTICLE TWO: ROYAL AUTHORITY IS SACRED

Proposition 1. God establishes kings and through them reigns over the peoples of the world.

We have already seen that all power comes from God. [Rom. 13:1-2.] . . .

Proposition 2. The king's person is sacred.

From the foregoing it appears that the king's person is sacred and that any attack upon it is a sacrilege. . . .

Proposition 3. One ought to obey the prince on grounds of religion and of conscience.

Saint Paul, after saying that the prince is the minister of God, draws this conclusion: "Hence it is necessary that you be submissive to him, not only from fear of his anger, but also by the compulsion of your conscience." [Rom. 13:5.] . . .

This is why St. Paul says: "Be ye, then, submissive for love of God to the order that is established among men. Be submissive to the king as to him who possesses the supreme power, and to those to whom he has given his authority as being sent by him to praise good deeds and punish bad." [I Pet. 2:13-14.]

Even if kings should not fulfill this duty, we must respect in them their office and their ministry. "Obey your masters, not only those who are just and moderate, but even those who are vexatious and unjust." [I Pet. 2:18.]

There is thus a religious element in the respect rendered to a king. The

service of God and respect for kings are inseparable, and St. Paul couples these two duties: "Fear God, honor the king." [I Pet. 2:17.]

Thus God has endowed princes with some of the divine essence. . . .

It is, then, the teaching of Christianity to cause kings to be respected with a sort of religion, which . . . Tertullian very aptly calls "the religion of the second majesty."

This second majesty is but a corollary of the first, that is to say, of the majesty of God, Who, for the good of human life, desired to reflect some of His splendor upon kings.

Proposition 4. Kings ought to have respect for their own power and to employ it only for the public good.

Because their power comes from on high, as has been said already, they should not think that they are the masters of it to make use of it according to their whims; rather they should use it with fear and hesitation as a thing that comes to them from God and of which God will demand an accounting. [Wisd. of Sol. 6:2-3, etc.]

Kings should therefore tremble when they make use of the power which God has given them, and they should think how horrible is the sacrilege of using for evil a power which comes from God.

We have seen kings seated on the throne of the Lord, holding the sword which He Himself has placed in their hand. What a profanation and what impudence in an unjust king to sit upon the throne of God and render judgments contrary to His laws and to employ the sword which God put into his hand to commit acts of violence and to shed the blood of God's children!

Let them, then, respect their power, for it is not their own power, but the power of God, which they must use in a holy and religious manner. St. Gregory Nazianzen speaks thus to the emperors: "Respect your purple; be aware of the great mystery of God in your own persons; He alone governs all heavenly things; He shares with you the things of the earth. Be, then, Gods to your subjects," that is to say, Govern them as God governs, in a noble, unselfish, beneficent, and, in a word, divine manner.

ARTICLE THREE: THE ROYAL AUTHORITY IS PATERNAL, AND ITS DISTINGUISHING MARK IS GOODNESS

After all that has been said, this truth stands in no need of further proofs.

We have seen that kings are the lieutenants of God, Who is the true father of the human race.

We have also seen that the first appearance of the idea of power among men is that of the father's authority, and that kings have been set up on the paternal model.

Moreover, all are agreed that the obedience which is due to the public authority is not found in the Decalogue save in the commandment which obliges us to honor our parents.

From all this it appears that the name of king is the name of a father and that kindness is the most natural quality in kings.

Yet let us make here a special observation on so important a truth.

Proposition 1. Goodness is a royal quality and the true appurtenance of greatness.

"The Lord your God is the God of Gods and the Lord of Lords: a great, mighty, and fearsome God, Who in His judgments takes no account of persons and receives no presents, Who does justice to the widow and the ward, Who loves the stranger and gives him food and clothing." [Deut. 10:17-18.]

Because God is great, and complete unto Himself, He turns, as it were, wholly toward doing good to men, according to the words: "As His greatness is, so is His mercy." [Eccles. 2:23.]

He makes kings into the image of His greatness in order to oblige them to imitate His goodness. . . .

This is why, in the places where we read that the kingdom of David was raised up *over the people*, the Hebrew and the Greek texts signify *for the people*. Which shows that greatness has as its object the well-being of the subject peoples.

Indeed, God, Who fashioned the bodies of all men from the same clay, and put in all their souls without distinction His own image and likeness, has not established so great a number of distinctions among them with the aim of making them vain on the one side or miserable slaves on the other. He has made some men great solely in order that these may protect the weak; He has given His greatness to kings solely in order to secure general well-being and to be the support of the people.

Proposition 2. The prince is not born for his own sake but for that of the public.

This is a consequence of the preceding proposition, and God confirms this truth by the example of Moses.

He gave him His people to lead, and at the same time He brought it about that he should forget himself.

After much travail, and after he had had to suffer the ingratitude of the people for forty years, in order to lead them to the promised land, he himself was excluded from it: God declared this to him and also that this honor was reserved to Joshua. [Deut. 21:7.] . . .

[Moses] lived out the small remnant of life that was left to him, teaching

the people and giving it the wisdom which is contained in the Book of Deuteronomy. And then he died, without receiving any earthly reward at a time when God was distributing such rewards freely. Aaron received the priestly office for himself and for his descendants; Caleb and his family were magnificently endowed; the others received other gifts; Moses got nothing, we do not know what became of his family. He was a public personage born for the good of the universe; this also was his true greatness.

Let princes understand that their true glory is to exist not for themselves, and that the public good which they procure is a sufficiently worthy reward on earth until they shall receive the eternal blessings that God reserves for them.

Book IV. Further Attributes of Royalty

ARTICLE ONE: THE ROYAL AUTHORITY IS ABSOLUTE

In order to make this term odious and intolerable there are some who pretend to confuse absolute government with arbitrary government. But there are no two things so fundamentally distinct, as we shall show when we come to speak of the administration of justice.

Proposition 1. The prince need render no account to any one concerning his commands.

“Observe the commandments which come out of the mouth of the king, and keep the oath which you have sworn toward him. Seek not to escape from the sight of his face, and persevere not in evil works, for he will do as he wills. The word of a king is mighty, and no man shall say to him: Why do you thus? Whoever obeys will avoid all evil.” [Eccles. 8:2-5.]

Without this absolute authority he can neither do good nor repress evil; his power must be so great that no one may hope to escape from it; and finally, the sole defense of individuals against the supreme power must be their innocence.

This doctrine conforms with what St. Paul has said: “Would you have no fear of power? Then do good.” [Rom. 13:3.]

Proposition 2. When the prince has judged there can be no other judgment.

Sovereign judgment is an attribute of God Himself. When Jehoshaphat established judges to judge the people he said: “It is not in the name of men that you judge, but in the name of God.” [II Chron. 19:6.]

This is why Ecclesiastes says: “Judge not contrary to the judge.” [Eccles. 8:17.] Still less should we judge contrary to the sovereign judge who is the king. And this is the reason which he adduces, “for he judges according to justice.” Not that the king’s judgments are always just, but they are always

considered to be just, and no one is entitled to judge, nor to revise his judgments, after he has decided.

Princes, then, must be obeyed in the same way as justice itself; otherwise there can be no order and no finality in men's affairs.

They are gods, and participate in some sense in the divine independence. "I have said, You are gods, and you are all children of the Most High." [Ps. 81:6.]

There is no one save God alone who may judge their decisions and their lives. "God has taken His seat in the assembly of the gods, and seated in their midst He passes judgment on them." [Ps. 81:1.] . . .

Hence it follows that whenever anyone will not obey a prince he is not sent before some other tribunal, but is condemned to death without recourse as the enemy of the public tranquillity and of human society. . . .

The prince may himself redress his own errors when he sees that he has committed a wrong; but against his authority there can exist no remedy save in his authority itself.

For this reason he must be scrupulous about the orders he gives. "Take heed what you do; as you judge, so shall it be judged unto you; live in the fear of God; take care in all that you do." [II Chron. 19:6-7.] . . .

Proposition 3. There can be no coactive power opposing the prince.

A "coactive power" is a power to compel and execute that which is legitimately commanded. Legitimate command belongs to the prince alone; to him alone, therefore, belongs the "coactive power."

It is for this reason that St. Paul gives the sword to him only. "If you do not act rightly, be afraid; for it is not for nothing that he has the sword." [Rom. 13:4.]

The prince is the only member of the state who may be armed; otherwise all would be in confusion and the whole state would fall into anarchy.

Whoever becomes a sovereign prince takes into his hand all together the sovereign judicial power and all the forces of the state. "Our king shall judge us, and he shall walk before us, and he shall lead us in war." [I Sam. 8:20.] This is what the Jewish people said when they asked for a king. Samuel declared to them, taking them at their word, that the power of their prince was to be absolute and was not to be restrained by any other authority. [I Sam. 2, etc.] "Thus shall be the power of the king who will reign over you, so saith the Lord: He will take your children and put them in his service; he will seize your lands and the best of all that you have to give it to his serving men," and so on.

Have kings the right to do all these things with impunity? God forbid. For God gives no such powers. They have, however, the right to do them without

fear of incurring the penalties of human justice. This is why David said: "I have sinned only against Thee, O Lord; take pity on me!" [Ps. 1:6.] "Because he was a king," says St. Jerome of this passage, "and had no one to fear but God alone."

This is what may be called the "royal law" of the Jews, in which everything concerning the king's power is excellently explained. To the prince alone belongs the general care of the people: here we have the first article and the foundation of all the others; to him belong all public works; to him the fortresses and weapons; to him all decrees and ordinances; to him all marks of distinction; there can be no power that does not depend upon him; there can be no assembly without his authorization.

Thus it is that for the good of the state, all its force has been united in a single person. Let force exist elsewhere, and you divide the state and destroy the public peace; you set up two masters, contrary to this maxim of the Gospel: "No man can serve two masters." [Matt. 6:24.]

By virtue of his office the prince is the father of his people; by virtue of his greatness he is above all petty interests; indeed, all his greatness and his natural self-interest demand that the people be preserved, for if in the end there should be no more people, he would no longer be a prince. Therefore there is nothing better than to leave the whole power of the state to him who has the greatest interest in its conservation and in the greatness of the state itself.

Proposition 4. Kings are not, however, exempted from obedience to the laws.

"When you shall have established for yourselves a king it shall not be permitted to him to multiply without measure his horses and equipages, nor to have so many women that his warlike courage will be softened, nor to heap up immense sums of gold and silver. And when he shall be seated on his throne he shall take care to announce this law, of which he shall receive a copy from the hands of the priests of the tribe of Levi, and he shall have it always in his hand, reading it all the days of his life, so that he may learn to fear God and to keep His commandments and judgments. May his spirit not puff itself up above his brothers, and may he walk in the law of God without turning from it either to the right or to the left, so that he and his children may enjoy a long reign." [Deut. 17:16-17, etc.]

It must be observed that this law included not only religion but also the law of the kingdom, to which the prince was subject as much as any other man, or rather, more than the others by reason of the uprightness of his will.

This is something princes find difficult to understand. "What prince can you find me," asks St. Ambrose, "who believes that what is not good is not permitted, who considers himself bound by his own laws, who believes that

power ought not to permit itself to do what is forbidden by justice? For power does not cancel out the obligations of justice; rather, on the contrary, it is by observing that which justice prescribes that power exempts itself from committing crimes: and the king is not above the laws; but if he does wrong he destroys the laws by his example." He adds: "Can the one who judges others avoid his own judgment, and ought he to do that which he himself condemns?"

From this follows that admirable law made by a Roman emperor: "It is a maxim worthy of the prince's majesty to recognize himself as subject to the laws."

Kings, then, are subject like other men to the equity of the laws, both because they ought to be just and because they owe it to the people to set a good example of respecting justice. But they are not subject to the penalties of the law: or, as theologians express it, they are subject to the laws not in what concerns the coercive power but only in what concerns the directing power.

Proposition 5. The people ought to abide quietly under the prince's authority.

This is what appears in the Apologue in which the trees choose themselves a king. [Judg. 9:8-13.] They address themselves to the olive tree, to the fig tree, and to the vine. These agreeable trees, content with their natural abundance, did not wish to load themselves with the cares of government. "Then all the trees said to the bramble bush: 'Come and reign over us.'" [Judg. 9:14.] The bramble bush was used to thorns and worries. He was the only one who was armed from the moment of his birth, and he had his natural defense in his thorns. For these reasons he seemed worthy to reign. So he was made to speak as belongs to a king. "He answered the trees that had elected him: 'If you really make me your king, then rest yourselves under my shade; if not, there will issue forth from the thorn bush a fire that will devour the cedars of Lebanon.'" [Judg. 9:15.]

As soon as there is a king, the people have no other course than to remain quietly under his authority. For if the people grow impatient and rebellious, and will not live tranquilly under the royal authority, the fires of division will spread through the state and will consume the thorn bush along with all the other trees—that is to say, both king and people will be consumed: the cedars of Lebanon will be burned up; all other authorities will be overturned along with the great power which is that of the king, and the whole state will be nothing but one heap of ashes.

When a king is installed, "let each man remain in tranquillity and without fear under his vine and under his fig tree, from one end of the kingdom to the other." [I Kings 4:25.] . . .

To enjoy this tranquillity it is necessary to have not only peace with for-

eign states but also peace within the state under the authority of an absolute prince.

ARTICLE TWO: OF WEAKNESS, IRRESOLUTENESS, AND FALSE STRENGTH

Proposition 4. The fear of God is the true counterweight to power: the prince fears God all the more because he needs fear no one else.

To establish the public peace on solid foundations and firmly buttress the state we have seen that the prince had to receive a power over and above every other power that exists on earth. But he must not, for all that, forget himself, nor allow himself to be carried away, because the less accountable he is to men the more accountable he is to God.

The wicked who have nothing to fear from men are all the more wretched in that, like Cain, they are reserved for the divine vengeance.

"God put a mark upon Cain so that no man should slay him." [Gen. 4:15.] It was not that He had forgiven this parricide; but the divine hand was needed to punish him as he deserved.

God uses the same severity in His dealings with kings. Their impunity with regard to men renders them subject to more terrible penalties before God. We have seen that the primacy of their estate draws upon them a similar primacy in the torments they must undergo [in the hereafter]. "Mercy is for the weak; but the powerful shall be mightily tormented: for the very greatest is prepared the greatest torment." [Wisd. of Sol. 6:6-7, 9.]

Consider how God smites them, beginning even in this life. See how He dealt with an Ahab, an Antiochus, a Nebuchadnezzar, whom He caused to be penned up with the animals, a Balthazar, to whom He announced death and the ruin of his kingdom in the midst of a great feast which he was holding for all his court; finally, how He deals with so many wicked kings: He does not spare greatness; rather He makes it serve as an example. . . .

These punishments make one tremble; but all the severity of vengeance that God exercises on earth is but a shadow in comparison with the rigors of the life to come. "It is a horrible thing to fall into the hands of the living God." [Heb. 10:31.]

He lives through all eternity; His wrath is implacable and always fresh; His power is invincible; He never forgets; He never grows weary; nothing escapes Him.

Book V. The Fourth and Last Attribute of Royal Authority
[That Royal Authority is Governed by Reason]

ARTICLE FOUR: CONSEQUENCES OF THE FOREGOING DOCTRINE: OF MAJESTY
 AND ITS APPURTENANCES

Proposition 1. What majesty is.

I do not call majesty that pomp which surrounds kings, nor that external show which dazzles the vulgar. These are only the reflections of majesty and not majesty itself.

Majesty is the image of God's greatness embodied in the prince.

God is infinite; God is all. The prince, in his princely capacity, is not to be regarded as an individual man; he is a public personage; the whole state is personified in him; the will of the whole people is contained in his. Just as all perfection and virtue are united in God, so all the power of individuals is concentrated in the person of the prince. What greatness this is, that one man can contain so much of it!

The power of God makes itself felt in an instant from one end of the world to the other; the royal power acts in the same manner throughout the whole kingdom. It maintains the entire kingdom as a state, just as God maintains the whole world.

Let God withdraw His hand and the whole world would fall again into the void; let authority cease in a kingdom and all would be in confusion.

Consider the prince in his cabinet. From there the orders go out which cause magistrates and captains, citizens and soldiers, the provinces and the armies by land and sea to work in concert. It is the image of God, Who, seated upon His throne in the highest heavens, causes all nature to move. . . .

We admire His works; nature is a matter on which the curious may discourse at length. "God gives them the world on which to meditate, but they will never discover the secret of His workmanship from beginning to end." [Eccles. 3:11.] We see a few small bits of it, but the depths are impenetrable. So it is with the secrets of the prince.

The designs of princes are really known only by their results. So do God's plans become manifest; until then none are privy to them unless God admits them to His confidence.

Just as God's power extends everywhere, so is it always accompanied by magnificence.

There is not a spot in the universe where signal marks of His goodness do not appear. Observe the order, observe the justice, observe the tranquillity

throughout the kingdom: these are the natural consequences of the prince's authority.

There is nothing more majestic than the diffusion of goodness, and there is no greater debasement of majesty than the wretchedness of a people which has been caused by a prince.

In vain do evildoers hide themselves; the light of God pursues them everywhere; His arm can reach them even in the highest part of the sky or even in the lowest abyss. . . . The wicked encounter God everywhere, high and low, night and day; however early they arise in the morning, He is before them; however far they flee, His hand is upon them.

Even so does God give the prince means to discover the most secret plots. Eyes and hands are everywhere. We have seen that the birds in the skies report to him what goes on. He has even received from God, through the daily conduct of affairs, a certain faculty of penetration which makes it seem that he has the power of divination. Has he penetrated a conspiracy? His long arm reaches out to seize his enemies at the extremities of the earth, and it will bury them in the depths of the abyss. There is no place of refuge that is safe against such power as this.

Now gather together all the great and august things we have said about the royal authority. Behold an immense nation united in a single person; behold this sacred, paternal, and absolute power; behold the secret principle which governs the whole body of the state contained in a single head: you behold God's image embodied in the king, and you have an idea of royal majesty.

God is holiness itself, goodness itself, power itself, reason itself. In these things the majesty of God consists. In the image of these things consists the majesty of the prince.

This majesty is so great that it cannot be the same in the prince as it is at the source; it is borrowed from God, Who bestows it on him for the good of the peoples, for whom it is well to be held in awe by a superior force.

There is an ineffable divine quality that attaches to the prince and inspires fear in the people. Let the king, however, not forget his own interests on this account. "I have said it"—it is God Himself Who is speaking—"I have said it, you are gods, and you are all children of the Most High; but you are mortal as other men are, and you will fall like the great." [Ps. 81:6-7.] "I have said it, you are gods": that is to say, you possess in your authority, you bear upon your brows, a divine character. "You are children of the Most High": it is He Who has established your power for the good of the human race. But, O ye gods of flesh and blood, O ye gods of mud and dust, you will die like

other men, you will fall like the great. Greatness makes distinctions among men for a little time; a common dissolution makes them all equal at last.

O Kings! Use then your power with boldness; for it is divine, and beneficial to humanity; but use it with humility. It is attributed to you by another hand than yours. In the last analysis it leaves you weak; it leaves you mortal; it leaves you sinful, and it burdens you with a heavier obligation in the sight of God. . . .

*Book VI. The Duties of Subjects toward Their Prince as
Established by the Foregoing Doctrines*

ARTICLE TWO: OF THE OBEDIENCE DUE THE PRINCE

Proposition 2. There is but one exception to the obedience that one owes to the prince; it is when he commands something against God.

. . . Obedience is due to each [authority] according to its degree; and one must not obey the governor of a province to the prejudice of the prince's orders.

Above all authorities is the authority of God. To speak truly, His is the only absolutely sovereign authority from which all the others flow; and it is from Him that all power is derived.

As, then, one ought to obey the governor, if there appears to be nothing contrary to the orders of the king in the commands which he gives, so one ought to obey the king's orders if they do not seem to contain anything contrary to the commands of God.

But by the very same reasoning, that one should not obey the governor in violation of the king's orders, still less should one obey the king in violation of the commands of God.

On such occasions only is it fitting to reply as the apostles answered the magistrates: "It is better to obey God than men." [Acts 5:29.] . . .

Proposition 5. Open impiety, and even persecution, do not excuse subjects from the obedience they owe to princes. . . .

Proposition 6. Subjects have only the right to oppose the prince's violence with respectful remonstrances, or with prayers for his conversion, but not with rebellion nor murmuring.

When God wished to deliver the Jews from the tyranny of Pharaoh, He did not permit them to use force against a king whose inhumanity toward them was without parallel. They asked respectfully for freedom to leave his kingdom, and to go to make sacrifices to God in the wilderness.

We have seen that princes should listen even to individuals; all the more should they pay heed to the whole people when they bring before them, with all respect and by authorized procedures, complaints that are just. . . .

Let it, then, be allowed to an oppressed people to have recourse to the prince through his magistrates and through legitimate channels: but let it always be done with respect.

Remonstrances that are full of bitterness and cast in a reproachful tone are the beginning of sedition and should not be tolerated. Thus the Jews murmured against Moses and never made a quiet remonstrance to him. [Num. 11, 13, 14, 20, 21, etc.]

Moses continued to listen to them, to placate them, to pray for them, and gave a memorable example of the goodness which princes owe to their people: but God, to establish order, meted out severe punishments to the seditious ones.

When I say that remonstrances should be respectful, I mean that they should really be so, and not only in appearance like those of Jeroboam and of the ten tribes, who said to Rehoboam: "Your father imposed on us an intolerable yoke: lighten a little this heavy constraint, and we will be your faithful subjects." [I Kings 12:4; II Chron. 10:4.]

There was in these remonstrances some outward show of respect, in that they asked only for a small abatement and promised to be faithful. But to make their fidelity conditional upon the granting of their petition was to take the first step toward rebellion.

One sees nothing of this sort in the remonstrances which the persecuted Christians addressed to the emperors. There all is submission and modesty; God's truth is freely expressed, but these addresses are so far removed from seditious language that one cannot read them, even today, without feeling oneself drawn into a more obedient frame of mind. . . .

Book VIII. Continuation of the Duties of Princes in Their Individual Capacities—of Justice

ARTICLE ONE: THAT JUSTICE IS FOUNDED ON RELIGION

Proposition 4. Under a just God there exists no purely arbitrary authority.

Under the rule of a just God there can be no power that is, by its nature, not bound by any natural, divine, or human law.

At the least, there is no power on earth that is not subject* to divine justice.

All judges, even the most sovereign—whom God calls gods for that reason—are examined and corrected by a greater judge. "God is seated in the midst of the gods, and there He judges the Gods" [Ps. 81:1], as has already been said. . . .

ARTICLE TWO: OF THE GOVERNMENT THAT IS CALLED ARBITRARY

Proposition 1. There is among men a species of government that is called arbitrary, but which is not found among us who live in perfectly governed states.

Four conditions accompany this kind of government.

First, the people who are subjected to it are born slaves; that is to say, more accurately, serfs; and among them there are no free persons.

Second, no one there possesses anything as his own property; all wealth belongs to the prince, and there are no rights of inheritance, not even from father to son.

Third, the prince has the right to dispose as he pleases not only of the goods, but even of the lives of his subjects, as with slaves.

And finally, in the fourth place, there is no law but his will.

This is what is called arbitrary power. I do not wish to inquire into whether it is legitimate or not. There are nations and great empires that are content with it; and it is not for us to raise doubts in them about their form of government. It is enough for us to say that it is savage and odious. These four conditions are far removed from our way of life; therefore the arbitrary form of government has no place in it.

It is quite another thing for the government to be absolute. It is absolute with respect to the criterion of constraint: there being no other power capable of constraining the sovereign who, in this sense, is independent of all human authority. But it does not follow from this that the government is arbitrary, for besides the fact that everything is subject to the judgment of God (which applies also to the government which we have just described as arbitrary), there are laws established in the empire, and anything done contrary to their provisions is null and void and without legal effect; there is always the possibility of carrying an appeal either in other circumstances or at another time. The result is that each man remains the legitimate possessor of his goods, since no one believes that he can ever enjoy secure possession in violation of the laws, whose vigilance and efficacy against acts of injustice or violence are unceasing, as we have explained more fully in another place. And it is in this that the government which we call legitimate consists, and in this it is opposed by its very nature to arbitrary government.

JEAN BAPTISTE COLBERT

AS THE EIGHTEENTH CENTURY OPENED, the French state was generally regarded as the most fully developed, the wealthiest, and the most advanced in the world. Although it was an absolute monarchy, it was guided to its accomplishments by great ministers rather than by kings. Richelieu vastly improved the political and military efficiency of the French state, and Jean Baptiste Colbert (1619-83) was the administrative genius who made this state the agency for stimulating, guiding, and controlling a greater variety of activities than has interested all but the most interventionist of modern governments.

Colbert, the son of a bourgeois of Reims, rose to become Cardinal Mazarin's most trusted assistant and, on the death of his sponsor, became chief economic adviser to King Louis XIV upon the start of the king's personal rule. Despite his great power and self-confidence, Colbert always regarded himself as the king's servant—he was equally skilled as courtier and administrator. His personal influence was so widely felt that French mercantilism is still called Colbertism, and the achievements of the reign of Louis XIV are now frequently credited far more to him than to his royal master.

The following selections from Colbert's administrative correspondence are intended to bring out some of his basic views, both with respect to particular policies and to the growing bourgeois capitalist class that was necessarily his chief instrument for economic development. The last selection, letters patent granted by Louis XIV to the Hinard tapestry enterprise, illustrates the type and scope of the methods used by Colbert to encourage the growth of industry in France. The selections are translated from the French texts in Pierre Clément, *Lettres, instructions et mémoires de Colbert* (1863), Vol. II.



LETTERS

TO M. ROUILLÉ, INTENDANT AT AIX

March 29, 1679. From all you write me concerning monies, the greatest irregularity is found in the three-sous in use in Marseille, which provides certain and constant proof of the great quantity thereof which the merchants are shipping to the Levant. If you reread the letter I wrote you on this matter, you will perceive that it has never been my thought suddenly to prohibit this export; but you may be sure that this may be considerably diminished, especially if you look carefully into what the English and the Dutch do in this trade; they never bring money there except when, following the example of

the French (especially the merchants of Marseille, in whose hands the entire trade lies), they introduced some false monies in the Levant, to which procedure the people of Marseille are only too accustomed. Thus these foreigners also take money there because, in the beginning, there is very considerable profit. But, aside from this reason, they would only carry commodities they have grown or manufactured. The merchants of Marseille are people who do not look ahead, who think only of the small immediate profit they can make, and who heedlessly abuse the full liberty thus far given them to transport all the money they wish to the Levant, contrary and prejudicial to the universal and fundamental law of all states which, under penalty of death, prohibits the export of gold and silver; these merchants have never been willing to take the slightest trouble either to found their own manufactures or to make use of those established in the kingdom for commerce. What I asked you to think and work toward in my letter of the 3rd of this month was to seek means of obliging them to begin to look for manufactures, in order steadily to diminish the export of this money. Among the means you will have to induce them to do this, you could even inform them that, the King being determined to prevent this export, His Majesty will have his warships stop and search vessels going to the Levant, and will punish the merchants who have shipped money on these vessels under the strict provisions of his laws.

Please be informed that you should treat this matter as the most important of all those to which you will have to give your attention during the time you remain in this province. . . .

April 20, 1679. In reply to your letter of the 8th of this month, in all I have written you concerning the Levant trade and the export of money involved therein, you did not find that I claimed that it was possible to carry on the Levant trade without shipping money there, because I do not believe in going to extremes, but only that it was necessary, by creating various obstacles to this practice, to induce the merchants, and in greater number than at present, to turn to the manufacture of goods which could be shipped to the Levant, in order in like proportion to reduce the trade of the English and the Dutch who bring in their manufactured goods, and to diminish the export of money. . . .

TO M. DAGUESSEAU, INTENDANT AT TOULOUSE

January 28, 1682. I am in complete agreement with you that it is absolutely impossible for a single inspector to do all that is necessary with respect to the regulations for manufactures throughout the province of Languedoc. But I cannot agree with you on choosing persons from the province for these positions or on naming as many as you say, as it is difficult, not to say impossible, for a native of the province to see to the execution of these regulations, and for

everything not to turn into a matter of favors, of individual friendships or enmities.

In short, I am not convinced that this procedure could yield any good result, but I believe that two or three good outsiders could be appointed inspector, men who would have no connections with the province and who would report to you each month as to what went on within their purview. You could rigorously enforce the thorough and punctual observance of these regulations, and you could even consider previously with some of the leading merchants the provisions of these regulations, and secure their opinion as to changes to be made. In which it would be necessary for you to proceed with the greatest caution, because all merchants generally want complete freedom with respect to their trade, and especially in manufactured goods the length, width and quality of which they always wish to change and reduce for considerations of a small profit that they make; this tends to the complete ruin of manufactures, the principle of which, in a state as prosperous and great as this, is to produce goods always the same in quality, length and width.

To attain this degree of conformity, which is the principle of all forms of trade, it is necessary to override the motives of small private interests which do not deserve consideration among the general motives of the good of the state. . . .

LETTERS PATENT OF LOUIS XIV

Vincennes, August, 1664

LOUIS, etc. As one of the most considerable advantages of the peace it has pleased God to grant us is the restoration of all kinds of trade in this kingdom, and to enable commerce to do without recourse to foreigners for things necessary for the use and convenience of our subjects, we have hitherto neglected nothing that would bring them this advantage, through all means we have judged suitable to the success of this great plan. And among these means is the restoration of the manufacture of tapestries in the style of those of Flanders, previously introduced in our good city of Paris, and in others of this kingdom, through the initiative of the late King Henry the Great our well honored ancestor, and this means rightly appearing to us to be of very great importance; and our dear and well beloved *Sieur Colbert*, councillor in all our councils, superintendent and director general of all our buildings arts and manufactures of France, having informed us that the restoration of this production and manufacture of the said tapestries could not be better begun, nor could this work be entrusted to anyone more capable of bringing it to a successful

conclusion than Louis Hinard, tapestry maker and merchant and bourgeois of our said city of Paris, known as one of the ablest not only in the said manufacture, but also in the commerce in this type of goods, if it pleased us to grant him permission to establish the said manufacture in our city of Beauvais, or in any other city of our province of Picardy he may wish and consider the most suitable, said permission to be enjoyed by him, by his successors and assigns, for such time and under such obligations as are carried by the articles and provisions he has presented to us for this purpose.

For these reasons, . . . we have granted permission to the said Hinard to establish the said factory and manufacture of all types of high and low warp tapestry of scenes and persons. We desire that the said Hinard, his successors and assigns shall enjoy the said permission and establishment for thirty years; and this to the exclusion and prohibition of all others, subject to 10,000 livres fine, confiscation of their goods, houses, shops, looms and other things used by them in manufacturing, together with all costs, damages, and interest, and all to the profit of the said Hinard.

And inasmuch as the cost and expenditures necessary to the foundation of this establishment may be beyond the capacity and resources of the said Hinard, we desire that the capital, houses, and property necessary to the said establishment be provided, and if need be constructed, at our expense, up to two thirds, or up to 30,000 livres; and we desire that there be placed on the doors and facades of the said houses and buildings a plaque bearing our arms and this inscription, *Manufacture royale de tapisseries*.¹ In addition to the said sum of 30,000 livres, and always better to aid the said establishment, we shall deliver and pay to the said Hinard and his associates another sum of 30,000 livres, as a loan to be employed by them for the purchase of supplies of wool, chemicals, dyes, and other goods and things necessary for the said manufacture, which sum the said Hinard and his associates will undertake to repay us without interest within the period and by the end of six years. So doing, the said Hinard and associates shall be held and obliged to maintain in the said manufacture, the first year of the said establishment, one hundred workers, French or foreign, and to add a like number of one hundred in each of the said first six years. And, in order to enable them to bring from foreign countries the largest number of workers possible, we shall pay the said Hinard and associates from our funds, the sum of 20 livres for each of the said workers. And, as there is nothing more important than to train many French apprentices, the said Hinard and associates shall be obliged to keep them at all times to at least the number of fifty; and to assist in their maintenance and feeding we shall pay, also from our funds, for each of the said apprentices, the sum of 30 livres for each year of their apprenticeship. Which apprentices, having completed

¹ [*Royal Tapestry Factory.*]

six years of apprenticeship and having served two years as journeymen, shall be reputed masters. We likewise desire that foreign workers who shall have worked for the time and period of eight years shall be reputed naturalized subjects and French nationals, subject to the provision that they shall permanently maintain their residence in this kingdom.

And, because it is our intention that both the said Hinard and associates and the said workers shall be able to go about their work with the least interruption, we desire that they shall all be and remain exempted from all *tailles*, levies for military supplies and other taxes, both regular and extraordinary, from all payments on the debts and all watch and ward duties of the said city, quartering soldiers, etc. To the said Hinard we grant the right and privilege of having legal cases concerning him tried in royal courts.

And, because it is necessary to the said establishment that the said Hinard and associates be able easily to maintain on the premises of the said establishment all the workers and other persons there employed by them, we permit them to bring to and install in the said premises as many painters, dyers, beer brewers, bakers, masters and journeymen as they wish, and who shall enjoy the same privileges and exemptions as the said tapestry workers. We desire that the wool and chemicals for dyeing purchased by the said Hinard and associates and their agents within the area of the Five Big Farms, be loaded and transported by them to the said establishment without being subject to the payment of any duties. . . . To which end we permit the said persons to place and carry upon their carts, horses, boats and other means of transportation of both the said wool and chemicals and the tapestries which shall be manufactured by them, a covering in our arms and colors; in producing and weaving the said tapestries they shall mark them with the mark given them by the said superintendent [Colbert], no other person being able to use the said mark for other tapestries, or copy the designs in which these have been made, subject to 10,000 livres fine and confiscation. . . . We desire that the said tapestries be transported, sold and marketed by the said Hinard and associates, either within this kingdom or in foreign countries, subject to their paying the sum of 20 livres for each tapestry twenty ells in length; and they shall pay no duties on those sold within the area of the Five Big Farms. . . .

THE FRENCH WEST INDIA COMPANY

LIKE THE Dutch, British, and French East India companies, and many others, the French West India Company was established by the state and granted state support and the right of monopoly in the hope that it would lead to increase in trade, more and stronger colonies, an enlarged merchant marine, and a supply of needed raw materials. In 1664, when the French West India Company was founded, France held fourteen islands in the West Indies, which were under the actual ownership of individual French proprietors. The trade of these islands, however, was very largely carried on by the Dutch. Colbert hoped, by establishment of a state monopoly over the trade of the islands, to exclude the Dutch and divert their trade and profits to French hands. He believed that a single company would prove more efficient than the various proprietors and chartered companies previously in the field. Thus the islands were repossessed, with compensation to their owners, and the Company of the Cape Verdes and Senegal, the Company of New France (Canada), and the Cayenne Company were either suppressed or absorbed into the new West India Company.

The Company's early years were marked by difficulties both for itself and for its colonists, who were cut off from the more than one hundred Dutch ships which each year had brought them supplies. War between France and England broke out in 1666, and the Dutch soon entered as France's allies. Wartime necessities led to relaxation of the prohibitions against both private trading and the Dutch, but following the return of peace in 1667 the policy of excluding the Dutch was gradually resumed. Colbert began to encourage independent trade, however, urging the Company more and more to concentrate on the slave trade and leave general commerce to private individuals. French trade with the West Indies increased greatly, although the Company failed to show profits. In December, 1674, Colbert had it dissolved, the king taking back all the rights and privileges he had granted it. This should not, however, be taken to indicate either the failure of the scheme or a change of heart on the part of Colbert in the direction of free trade. It was merely that the Company had accomplished its assigned task: to exclude the Dutch and build up French trade with the colonies. It was no longer needed, and hence its work could be left to private individuals.

The following selection was translated from the French text of the Edict as given by Moreau de Saint-Méry, *Loix et constitutions des colonies françaises de l'Amérique sous le vent* (1784), Vol. I.



*EDICT PROVIDING FOR THE ESTABLISHMENT
OF A COMPANY OF THE WEST INDIES
To Conduct All the Trade in the Islands and the Mainland of North
America, and Other Countries, the Concessions, Powers, Authorities,
Rights, Exemptions and Privileges Therein Contained. . . .*
[May 28, 1664]

LOUIS, ETC. GREETINGS. The peace which this state now enjoys having given us the opportunity to apply ourselves to the restoration of trade, we have recognized that colonial trade and navigation are the only and true means of raising commerce to the brilliant position it holds in foreign lands; to achieve this and to stimulate our subjects to form powerful companies we have promised them such great advantages that there is reason to hope that all those who take interest in the glory of the State, and who wish to profit by honorable and legitimate means will willingly participate; with much joy we have already given recognition to this through the company formed several months ago for the mainland of America, otherwise called *France Equinoxiale*; but as it is not sufficient for these companies to take possession of the lands which we grant them, and have them cleared and cultivated by the people they send there at great expense, if they do not equip themselves to carry on the commerce through which the Frenchmen who live in the said countries deal with the native inhabitants, giving them in exchange for the products which grow in their countries the goods which they need, it is also absolutely necessary, in order to carry on this trade, to provide numerous ships to carry each day the goods which are to be sold in the said countries, and bring back to France those which they export, which has not so far been done by the companies heretofore formed.

Having recognized that the land of Canada has been abandoned by the investors of the Company which was formed in 1628, for lack of having sent annually some small help; and that in the islands of America, where the fertility of the land attracted a great many Frenchmen, those of the Company to whom we granted them in 1642, instead of applying themselves to the advancement of these colonies and establishing in this great extent of land a commerce which would have been very advantageous to them, were content to sell the said islands to various individuals, who, having applied themselves only to cultivating the land, have subsisted since that time only through the help of foreigners, with the result that so far they only have profited from the courage of the Frenchmen who first discovered and settled the said islands, and

from the work of several thousand persons who cultivated the said lands.

It is for these considerations that we have withdrawn from the investors in the said Company of Canada the concession of this country granted them by the late King our most honored lord and father, of glorious memory, which they ceded to us voluntarily by act of their assembly of February 24, 1663, and that we have resolved to repossess all the islands of America sold to the said individuals by the said Company, reimbursing their proprietors the purchase price and for the improvements they have made; but, as our intention in repossessing the said islands has been to place them in the hands of one company which could own them all, succeed in peopling them, and carry on the trade which foreigners now conduct, we have considered at the same time that it would be to our glory and the greatness and advantage of the State to create a powerful company to handle all the trade of the West Indies, to which we wish to grant all the said islands; that of Cayenne, and all the mainland of America from the Amazon river to the Orinoco, Canada, Acadia, the Islands of Newfoundland, and the other islands and mainlands from the north of the said land of Canada to Virginia and Florida, together with all the coast of Africa, from the Cape Verdes to the Cape of Good Hope, whether the said lands belong to us, being or having heretofore been inhabited by Frenchmen, or the said company establish itself there, driving out or subjecting the savages or natives of the country, or the other nations of Europe which are not in our alliance; in order that the Company be able, when it shall have established strong colonies in the said countries, to rule and govern them by a single design and develop considerable trade, both with the Frenchmen who already live there and those who settle there hereafter and with the Indians and other native inhabitants of the said countries, from which it could draw great benefits.

For this result we have thought it fit to employ the said Company of the Mainland of America, which Company already being composed of many shareholders and equipped with numerous ships, could easily prepare itself to form that of the West Indies, and, strengthening itself with all those of our subjects who wish to participate, undertake this great and praiseworthy enterprise. . . .

Art. I. As, in the establishment of the said colonies, we consider principally the glory of God, in securing the salvation of the Indians and savages, to whom we wish to make known the true religion, the said Company now established under the name of *Company of the West Indies*, will be obliged to introduce into the lands granted above, the number of clergy necessary for preaching the Holy Gospel, and instructing these peoples in the faith of the Catholic, Apostolic and Roman religion; and also to build churches and

provide parish-priests and priests (whom it shall nominate) to conduct the Divine Services at the usual days and hours, and administer the sacraments to the inhabitants; the said Company will be obliged to support these churches, parish-priests and priests decently and with honor. . . .

Art. II. The said Company shall be composed of all those of our subjects who wish to participate, of whatever rank and station they be, without their thereby detracting from the nobility and privileges we bestow upon them, foreigners and subjects of any Prince or State may likewise enter the said Company.

Art. IV. Those who invest from ten to twenty thousand pounds in the said Company, be they French or foreign, may attend the general assemblies and vote and those who invest twenty thousand *livres* or more, may be elected Directors General, each in turn, or according to an order to be decided upon by the said Company, and those who have invested twenty thousand *livres* in the said Company, shall receive the rights of *bourgeois* in the cities of the Kingdom in which they reside.

Art. V. Foreigners who shall invest the sum of twenty thousand *livres* in the said Company shall be reputed French and native born during the time they live [in France] and have shares for the said twenty thousand *livres* in the said company; and after the expiration of twenty years, they shall enjoy the said privilege incommutably without the need of any other letters of naturalization; and their relatives, although foreigners, may succeed them in all the possessions they shall have in this kingdom, declaring to them that in this regard we renounce from this moment all rights of escheat.

Art. VII. Shareholders in the said Company may sell, give and transfer the shares they hold to whom and as it shall seem well to them. . . .

Art. XI. Neither the properties of said Company, nor the shares and portions which belong to the shareholders, may be seized for our affairs, for any cause, pretext or occasion whatever, nor even the shares which belong to foreigners for reason or under pretext of war, reprisal or otherwise, which we might have against the Princes and States of which they are subjects. . . .

Art. XV. The Company alone will carry on all the trade and navigation in the said lands granted, during forty years, to the exclusion of all other of our subjects who do not participate in it; and to this end we forbid all our said subjects who do not belong to the said Company to trade there, under penalty of confiscation of their vessels and goods, applicable to the profit of the said Company, with the exception of fishing, which shall be free to all our said subjects.

Art. XVI. And to enable the said Company to meet the great expenses it will be obliged to make for the support of the colonies, and of the great number

of ships it will send to the said lands granted, we promise the said Company to have it paid for each voyage of the said vessels which take supplies and cargo in the ports of France, . . . 30 *livres* for each ton of goods they bring to the said countries, and 40 *livres* for each ton of goods they bring back and discharge . . . in the ports of the kingdom. . . .

Art. XVII. Goods coming from the said countries brought to France by vessels of the said Company to be transported by sea or land to foreign lands, shall pay no duties on import or export. . . .

Art. XVIII. Goods declared to be consumed in the kingdom, on which import duties have been paid, and which the Company wishes to send to foreign lands, shall pay no export duties, any more than sugars refined in France in the refineries which the Company will establish, which we likewise exempt from all export duties, provided that they are shipped on French vessels to be transported out of the kingdom.

Art. XIX. The said Company will be likewise exempted from all import and export duties on munitions of war, provisions and other things necessary for the victualling and arming of the ships it will equip, also on all woods, ropes, tar, cast iron cannons, and other things which it will import from foreign lands for the construction of ships it will build in France.

Art. XX. There shall belong to the said Company in all lordship, property and justice all the lands it may conquer and settle during the said forty years in the expanse of the said countries above stated and granted, and also the islands of America called the Antilles. . . .

Art. XXI. All which countries, islands and lands, posts and forts which may have been constructed and established there by our subjects we have given, granted and bestowed, do give, grant and bestow upon the said Company, to enjoy in perpetuity in full lordship, property, and justice, reserving to ourselves no other right nor duty than only fealty and liege homage, which the said Company will be obliged to render us and to our successor Kings, at each change of King, with a gold crown of the weight of thirty *marcs*. . . .

Art. XXIII. In its capacity as lord of the said islands and lands, the said Company will enjoy seignorial rights now established over the inhabitants of the said lands and islands. . . .

Art. XXIV. The said Company may sell or enfief land, whether in the said islands, the mainland of America or elsewhere in the said countries granted, at whatever rates, rents and seignorial duties it shall judge desirable, and to such persons as it shall find fitting.

Art. XXV. The said company will possess all mines and mineral deposits, capes, gulfs, ports, harbors, rivers, streams, islands and islets within the extent of the said countries granted, without being obliged to pay us, for the said mines or mineral deposits, any dues of sovereignty. . . .

Art. XXVI. The said Company may build forts in all places it shall judge necessary for the defense of the said country, have cannon cast with our coat of arms, above which it may place that which we grant it hereafter, make powder, cast balls, forge arms and recruit warriors in the Kingdom to send to the said country. . . .

Art. XXVII. The said Company may also create such governors as it shall judge fitting, whether on the mainland, by provinces or separate departments, or in the said islands, which governors shall be nominated and presented by the Directors of the said Company, so that our confirmation may be sent them, and the said Company may remove them whenever it shall deem it well. . . .

Art. XXVIII. The said Company may arm and equip for war such number of vessels as it shall deem fitting for the defense of the said countries and the security of the said commerce, on which vessels it may place as many cast iron cannons as it thinks advisable, fly the white flag with the coat of arms of France, and appoint such captains, officers, soldiers and sailors as it shall find necessary, without the said ships being employable by us, either on the occasion of a war or otherwise, without the consent of the said Company.

Art. XXIX. If any prizes are taken by the ships of the said Company from the enemies of the State in the waters of the countries granted they shall belong to it [the Company]. . . .

Art. XXX. The said Company may negotiate peace and alliances in our name, with the Kings and Princes of the countries where it wishes to establish its settlements and trade, and agree with them on the provisions of the said treaties, which shall be approved by us, and, in case of insult, declare war on them, attack them, and defend itself by force of arms.

Art. XXXI. In case the said Company should be disturbed in the possession of the said lands and in commerce by the enemies of our State, we promise to defend it and aid with our arms and our ships, at our cost and expense.

Art. XXXIII. The said Company, as Lord High Justice of all the said countries, may establish there judges and officials wherever necessary, . . . and depose and remove them when it shall deem it advisable, which [judges] shall have cognizance in all matters of justice, police, commerce and navigation, civil as well as criminal. . . .

Art. XXXIV. The judges established in all the said places shall be obliged to judge according to the laws and ordinances of the Kingdom, and the officials to conform to the Custom of the Provostship and Viscounty of Paris, according to which the inhabitants may contract, without there being able to be introduced any other Custom, in order to avoid diversity.

Art. XXXV. And further to aid the inhabitants of the said countries granted, and bring our subjects to settle there, we desire that those who move to the said countries should enjoy the same liberties and immunities as if they

remained resident in this kingdom, and that those who are born of them and savages converted to the Catholic, Apostolic and Roman faith should be counted and reputed native born French subjects, and as such capable of all inheritances, gifts, legacies and other conveyances without being obliged to obtain any letters of naturalization, and that artisans who shall have practiced their arts and crafts in the said countries for ten consecutive years, on presenting certificates of the officials of the places in which they have resided, attested by the governors and certified by the Directors of the said Company, shall be reputed masters in all cities of our kingdom where they wish to settle, without any exception.

Art. XXXVI. We permit the said Company to draw up and decree such statutes and regulations as it shall deem necessary for the conduct and direction of its affairs, in Europe as well as in the said countries granted, which statutes and regulations we will confirm by letters patent, in order that the shareholders in the said Company may be obliged to observe them according to their forms and terms. . . .

Art. XLI. After the expiration of the said forty years, if it is not judged fitting to continue the privilege [monopoly] of commerce, all the lands or islands which the Company shall have conquered, inhabited or settled, together with the seignorial duties and rents owed by the said inhabitants, shall belong to it in perpetuity in full property, lordship and justice, to deal with and dispose of as shall seem fitting to it, as of its own heirdom; as also the forts, arms and munitions, furnishings, implements, ships and goods it has in the said countries, without its being therein disturbed, nor can we repossess the said lands and islands, for any cause, occasion or pretext whatsoever, which we have renounced from this time forth, subject to the condition that the said Company may not sell the said lands to any foreigners without our express permission.

Art. XLII. And, to make known to the said Company that we wish to aid it by all measures, contribute from our own funds to its establishment and to the purchase of vessels and goods which it needs to send to the said countries, we promise to furnish the tenth of all the capital gathered by the said Company, and this during four years, after which the said Company will return us the said sums without any interest; and in case it suffer any loss during the said four years, proving it by the accounts, we consent that this be charged against the funds we shall have advanced, unless we wish to leave the tenth thus advanced by us in the funds of the said Company, for yet another four years, all without any interest, for there to be made at the end of the said eight years a general accounting of all the properties of the said Company; and in case there prove to be a loss of capital funds, we consent that the said loss be charged to the said tenth, and to the extent of this. . . .

THE FRENCH WOOLENS REGULATION OF 1669

THE WOOLENS REGULATION was issued in August, 1669, over the signatures of Louis XIV and Colbert. Regulations of this type had long been traditional in France and were based on the medieval concept of control in the interest of just social practice. The local scope of regulation in the Middle Ages had gradually extended with the rise of central national authority, and in 1571 a nation-wide cloth ordinance was issued in France, though it was never well enforced.

The Woolens Regulations of 1669 stemmed from the mercantilist belief that articles must be of good and, especially, uniform quality in order to sell and that they should be made according to accepted techniques and by qualified persons. Colbert sought to achieve this end by prescribing standards which could be enforced partly through the guilds and partly by supervision of the central government. Thus the woolens regulations followed many local and special regulations, but carried the added scope, direction, authority, and power of enforcement of the national state. They were, in turn, frequently modified by exemptions and special rulings required by varying local conditions.

The following translation from the French is reprinted from Charles W. Cole's *Colbert and a Century of French Mercantilism* (New York, Columbia University Press, 1939), Vol. II.



ORDINANCES AND REGULATIONS ON THE LENGTH, WIDTH, AND QUALITY OF CLOTHS, SERGES, AND OTHER STUFFS OF WOOL AND LINEN

1. All Spanish-style cloths, white, gray, or mixed, shall be made one and one-half ells wide including the selvage, and the aforesaid selvages are not to be more than two inches wide. The piece is to be twenty-one ells long. . . .

28. *Tiretaines* [linen and wool, like linsey-woolsey in England], white and gray, made of wool and linen, shall be three-fourths ell wide and thirty-five to forty ells long, all by the measure (*aulnage*) of Paris. And the warp of all the above-mentioned fabrics shall be of a number of threads sufficient for and suitable to their width, to make them of the fineness, goodness, and strength required for their type and quality.

29. The narrow serges of Ville-de-Roy shall be two-thirds ell wide and

twenty-one ells long; and those that are not all wool shall have a blue selvage and the same length and width as the above-mentioned.

30. There shall henceforth be made no fabrics, however low may be their price, by a draper, a serge-maker, or by anyone at all, that are not [at least] one-half ell wide by the measurement of Paris.

31. All master drapers actually making cloth, and serge-makers, are enjoined to make the selvages of the cloths of the same length as the material, so that the cloths and serges may be easier to clip and so that they may not be badly joined: and to make these selvages strong enough so as not to tear when the cloths are put to dry.

32. All stuffs of wool and linen of the same name or of the same type and quality as those above-mentioned, and which could not be specified above, shall uniformly have the same length and width as the above-mentioned ones of the same type and quality, throughout the whole extent of the kingdom. And these cloths and serges and other fabrics shall be of the same uniform strength and quality for the whole length and width of the piece, without any difference. And the weavers and workers shall not make the warp of these fabrics except of the widths before-mentioned, nor employ wool nor linen thread nor other material of a finer quality at one end of the piece than in all the rest of its length and width; all this under penalty of confiscation and twenty *livres* fine for each contravention.

33. To enforce effectively the lengths and widths of these cloths, serges, and other goods of wool and linen herebeforementioned, four months after the publication of these regulations, all the treadles (*lames*) and combs (*rôis*) of the looms for these fabrics shall be changed and made over to the width and size above prescribed for these fabrics; and where any looms are found, after the lapse of that interval, which are not of the above-mentioned widths, they shall be taken apart immediately to be made over to the above width and size, and those to whom they belong shall be condemned to a fine of three *livres* for each loom.

34. The associations and guilds of the crafts of draper and serge-maker of all the cities and towns of the kingdom shall be composed indiscriminately of all masters who have been received in those crafts, or who practice them by virtue of letters patent granted by His Majesty and by the kings, his predecessors, in consequence whereof they shall peacefully continue the practice of these crafts without being disturbed, provided that they cause to be inscribed their names and status of masters, both on the registers of the administrative judges who have jurisdiction over the regulation of manufacturers, and on those of their guild, within one month after the publication of the present statutes and regulations; failing which, this time having passed, they cannot

practice their trades as masters without the permission of these civil judges; or without going through their apprenticeship in the manner which shall be mentioned hereafter. And all persons other than the masters of these crafts, without any exceptions, shall not occupy themselves with the making of cloths, serges, or other fabrics, under penalty of confiscation of the cloth and a fine of 150 *livres*.

35. To maintain the masters and guilds of these crafts in the proper unity of good feeling, and to enforce the present statutes and regulations, there shall be named each year by a plurality of votes on the same day on which elections have heretofore been held, and for places where none have been held on such a day as shall be chosen by the officers who have a right to do so, the number of Wardens or Sworn Guardians of these crafts of draper and serge-maker that is proper for the places where the elections are held; and these wardens will swear before the above-mentioned officers to do well and duly the duties of their office during its term, which shall be not less than one year. And when these wardens go out of office, a new election for other wardens shall be held, but in such a way that there shall always be two old ones, or one at least, to instruct the new ones; and so on successively from year to year, the same order shall always be observed. And the aforesaid wardens and sworn guardians shall be obliged to do the duties of their office, well and duly, and to report faithfully to the administrative judge of manufactures all contraventions of the present statutes and regulations which may be committed, under penalty of losing their office and their position as masters. The masters, journeymen, and apprentices of the aforesaid crafts shall not assemble for the election of the aforesaid wardens nor for any other purpose whatsoever unless they have permission from the officers who have the right to give it, under penalty of a thirty *livres* fine for each of the offenders, and of having their case brought up and carried through under the special procedure used for those involved in seditions. And when the aforesaid wardens and sworn guardians leave office, they shall turn over to their successors all registers and papers concerning the affairs of the aforesaid guild.

36. The measurers (*aulneurs*) shall not measure any goods unless they are marked with the mark of the place [of manufacture], and unless on them is the name of the weaver at the top and first end of the piece, worked on the loom and not with a needle, under penalty of fifty *livres* fine the first time, and the second a similar fine and loss of office; should this occur, they shall be replaced by the officers having administration of manufactures.

37. The measurers shall not be brokers (*courtiers*), nor shall the brokers be measurers, agents (*commissionnaires*), or factors (*facteurs*), nor shall they buy or cause to be bought any wool or other materials involved in cloth-making

or serge-making, for their own account, or for anyone else, to resell them for profit directly or indirectly, under penalty of confiscation of the aforesaid goods and of one hundred *livres* fine, and of loss of their positions. . . .

39. All cloths, serges, and other fabrics shall be seen and inspected, when they come back from the fuller, by the wardens and sworn guardians then in office, and marked by them with the mark of the place where they were made, if they conform to the present regulation. And if they find any defects, they will have them seized and will make their report of the matter to the judge administering manufactures, so that he may order the confiscation of them in the manner that they shall think best. And if they are not of the width ordered by these presents, their selvages shall be torn publicly. And to facilitate the aforesaid inspection and marking of the aforesaid goods, there shall be in all the cities, towns, and villages of the kingdom where the aforesaid manufactures are established, a room of the necessary size in the town hall or at the office of the guilds of the aforesaid crafts if it is possible, or at some other very convenient place; to which room the weavers and workmen shall be obliged to bring their goods, there to be inspected and marked, as has been said, on the days and at the hours which shall be set and determined by the judges administering manufactures, and for this purpose the aforesaid wardens and sworn guardians shall be obliged to present themselves there. And if the aforesaid goods are taken to other cities to be sold there, and also all such goods from foreign lands without any exceptions, they shall be taken directly to be unloaded in the markets or other places designated for the inspection of goods and not elsewhere, except those which are taken to fairs, so that they may also be seen and inspected there by the masters and the wardens of the cloth industry of the aforesaid cities and marked by them if they are of the requisite quality. And in the cases where they are not of the requisite quality, or for those manufactured in France where the mark of the place where they were made has not been put upon them, or where the name of the weaver, done on the loom and not by needle, has not been placed upon the top and first end of the pieces of the aforesaid goods, they shall be seized; and on the report and by the proceedings of the aforesaid masters and wardens and sworn guardians, the confiscation of them shall be sought before the judges administering manufactures. And no merchants and weavers shall expose for sale, sell, or buy the aforesaid goods, unless previously they have been marked as has been said; nor shall the wardens and sworn guardians of the places where the aforesaid goods were made, mark them with any mark other than that of the aforesaid places, all under penalty of confiscation of the aforesaid goods and of greater penalties for further offenses. . . .

45. The merchant drapers of the cities and towns of the kingdom who shall

buy goods from manufacturing drapers and serge-makers, either in the markets or at the fairs or elsewhere, shall complete and settle their accounts within two or three days after the sale and delivery of the aforesaid goods, at the latest, so that the delay they cause in the matter may not injure the aforesaid drapers and serge-makers, under penalty, in case of delay, of forty *sous* for each day that the aforesaid drapers and serge-makers are forced to wait, from the day of the protest made by them to the day of the settlement of the account.

46. And the masters, journeymen, and apprentices of the craft of draper and serge-maker in the cities and towns of this kingdom shall be held to follow and conform to the special statutes which have been granted to them and confirmed in the Council of Commerce. And as for the other cities and towns where no special statutes have been granted, the system prescribed by the following articles for masters, journeymen, and apprentices, drapers, and serge-makers shall be punctually observed.

47. No one shall be received as a master who has not served apprenticeship with a master of the aforesaid craft and remained in the service of his master: to wit, for the drapers during the space of two complete and consecutive years, and for the serge-makers during the space of three years, also complete and consecutive, as to which a certificate shall be sworn to before a notary, which certificate shall be registered on the book of the guild. No master shall be allowed to take more than two apprentices, nor shall the aforesaid apprentices absent themselves from the house of their master during the time of their apprenticeship without a cause which is legitimate and which is held to be such by the administrative judge. And in case of contravention, their masters may have them arrested, in virtue of the present regulations, to make them finish their time; or else the masters may summon them to do so and, after having waited for a month, may have their names erased from the register of the guild, and may take others to replace them; and after that the aforesaid apprentices who have gone away shall not be able to count the time which has elapsed during their absence and first apprenticeship, but the aforesaid apprentices may bind themselves again to a new master for the same time as above. The master shall not dismiss his apprentice without a cause which is legitimate and is held to be such by the administrative judge, nor shall he take another, if one absents himself, until the above-mentioned month has expired, under penalty of a fine of thirty *livres*. And if it chances that any master should absent himself from the city in which he has dwelt, and should cease his work, another master shall be provided for the aforesaid apprentice after a month. Nor shall the masters of the aforesaid craft entice or attract to themselves the apprentice or journeyman of another master, nor give him employment directly or indirectly, under penalty of a fine of sixty *livres*.

48. His apprenticeship completed, the candidate who wishes to become a master shall make his masterpiece, and if judged capable, shall be received as a master, and his letters of reception shall be delivered to him upon the payment of six *livres* for all fees, and without his giving any banquet. And no wardens of the aforesaid craft and no other persons shall receive a gift or present before, during, or after the making of the masterpiece, nor shall the aforesaid candidate give them any, under penalty of suspension from the status of master for a year, and 100 *livres* fine for each offender. For which a writ of execution shall be delivered by the administrative judge, after the summary hearing which he shall be obligated to hold after complaint about the matter or information as to it has been laid before him; and if any dispute shall arise as to the acceptance of the aforesaid masterpiece, it shall be seen and inspected by the administrative judge or another named or appointed by him for this purpose. . . .

52. The master drapers, serge-makers, workmen, fullers, and others shall not draw out, lengthen nor stretch on tenters any piece of goods, either white or dyed, in such a way that it might shrink [later] in length or width, under penalty of a fine of 100 *livres* and confiscation of the goods for the first time, and, in case of a second offense, deprivation of their status as masters.

53. The greases called *flambart* [the grease that rises to the top of the water when pork is boiled] shall not be used for the oiling (*ensimage*) of cloth and serges, but only the whitest hog's lard [the use of grease other than lard was held to interfere with proper dyeing]. And the shearers (*tondeurs*) shall not make use of cards (*cardes*) to lay (*coucher*) the aforesaid cloth and serges, nor shall they keep any of them in their houses; but they shall make use of teasels (*chardons*), under penalty of a fine of twelve *livres* for each offense. . . .

55. The seizure, distraint, and forced sale by legal procedure of mills, looms, tools, and utensils used for any manufacture whatsoever shall not be allowed for any debt, cause, or occasion whatsoever, save for the rent of the houses occupied by the aforesaid weavers and masters, but not for the sums due for the *tailles* nor the *gabelles* [salt tax]. And no officers and sergeants shall make such seizures or sales, under penalty of deprivation of office, a fine of 150 *livres*, and all costs, damages, and interest due to the parties against whom the seizure is made. . . .

57. The aforesaid wardens, actually in office, shall assemble in the room of their guild the first Monday of each month at two o'clock in the afternoon, and more often if need be, to confer on the affairs of the aforesaid guild, to hear the complaints and information as to infractions, which shall be made to them by the masters and apprentices on matters concerning their craft, to be settled in a friendly manner. And in case important matters should arise, hav-

ing to do with aforesaid guild, which might give rise to a lawsuit, the wardens and sworn guardians actually in office shall collect in their room the greatest number of masters of the aforesaid guild, at least five or six, together with those who have been in office during the two preceding years, before whom they shall lay the matters in question, so that they may be settled by a majority vote. And what shall be thus decided on shall be transcribed into the above-mentioned register of the guild and carried out by all the masters of the aforesaid guild, as if all of them had been present at the meeting.

58. The money from all the fines which shall be levied as a result of these presents, and for infractions of them, shall be paid: to wit, one-half to His Majesty, one-quarter to the wardens actually in office, and the other quarter to the poor of the place where the judgment providing for payment of the aforesaid fines shall have been rendered.

59. And so that it may be known whether the wardens and sworn guardians are fulfilling the duties of their office well and have carefully executed these present regulations, and also so that ways to perfect the aforesaid manufactures and to increase the trade in them may be sought the more, in all the cities and towns of the kingdom where there are or shall be hereafter guilds of master drapers and serge-makers, the officials administering manufactures shall cause to assemble before themselves, in the month of January of each year, the wardens of the crafts of the aforesaid manufactures of wool and linen who are in office, together with those who went out of office in the preceding year, and four other persons from each of the aforementioned guilds, such as they see fit to choose, together with two prominent *bourgeois*, so that the wardens and sworn guardians who are in office may inform the gathering of the existing conditions in the aforesaid manufactures, of their progress, of the steps which they think necessary to perfect them, of the observance or nonobservance which they have noted to be accorded to the present regulation, and of the ways by which it would be proper to improve the observance of it; so that, in regard to all this, the aforementioned gathering may give its advice as to what it shall think most useful and reasonable for the welfare of the public and of the trade in goods, of which a report shall be drawn up by the aforesaid officers administering manufactures, who shall be required to send a copy of it, within a month, to the superintendent of arts and manufactures of France; all this to be done free and without charge.

THOMAS MUN

THOMAS MUN (1571-1641) has been called the founder of English mercantilism. This is quite incorrect, but it would be true to say that Mun played an important role in changing the emphasis of English mercantilism from bullionism to trade.

It was as a director of the British East India Company that Mun entered the field of economic thought. The Company had been under severe attack by bullionist mercantilists such as Gerard de Malynes for exporting gold and silver to the East in the course of its trade. Mun pointed out, in *A Discourse of Trade, from England into the East-Indies* (1621), that the net result of the Indian trade was actually an influx of precious metals. This position of modified bullionism was expanded in *England's Treasure by Foreign Trade*, published posthumously in 1664. Mun emphasized the importance of the total balance of trade, including the so-called invisible items. Hence he urged the diversification of manufactures and commercial services as the best means of securing more bullion: the limitation of luxury and unnecessary imports, rather than the prohibition of export of gold and silver, as the best means of preventing its flight from England.



ENGLAND'S TREASURE BY FOREIGN TRADE

CHAPTER II: THE MEANS TO ENRICH THIS KINGDOM, AND TO ENCREASE OUR TREASURE

ALTHOUGH A KINGDOM may be enriched by gifts received, or by purchase taken from some other nations, yet these are things uncertain and of small consideration when they happen. The ordinary means therefore to encrease our wealth and treasure is by foreign trade, wherein we must ever observe this rule; to sell more to strangers yearly than we consume of theirs in value. For suppose that when this kingdom is plentifully served with the cloth, lead, tin, iron, fish and other native commodities, we do yearly export the overplus to foreign countries to the value of twenty two hundred thousand pounds; by which means we are enabled beyond the seas to buy and bring in foreign wares for our use and consumptions, to the value of twenty hundred thousand pounds; by this order duly kept in our trading, we may rest assured that the kingdom shall be enriched yearly two hundred thousand pounds, which must be brought to us in so much treasure; because that part of our stock which is not returned to us in wares must necessarily be brought home in treasure.

For in this case it cometh to pass in the stock of a kingdom, as in the estate of a private man; who is supposed to have one thousand pounds yearly revenue and two thousand pounds of ready money in his chest: if such a man through excess shall spend one thousand five hundred pounds per annum, all his ready money will be gone in four years; and in the like time his said money will be doubled if he take a frugal course to spend but five hundred pounds per annum; which rule never faileth likewise in the commonwealth, but in some cases (of no great moment) which I will hereafter declare, when I shall shew by whom and in what manner this ballance of the kingdom's account ought to be drawn up yearly, or so often as it shall please the state to discover how much we gain or lose by trade with foreign nations. But first I will say something concerning those ways and means which will encrease our exportations and diminish our importations of wares; which being done, I will then set down some other arguments both affirmative and negative to strengthen that which is here declared, and thereby to shew that all the other means which are commonly supposed to enrich the kingdom with treasure are altogether insufficient and meer fallacies.

CHAPTER III: THE PARTICULAR WAYS AND MEANS TO ENCREASE THE EXPORTATION OF OUR COMMODITIES, AND TO DECREASE OUR CONSUMPTION OF FOREIGN WARES

The revenue or stock of a kingdom by which it is provided of foreign wares is either natural or artificial. The natural wealth is so much only as can be spared from our own use and necessities to be exported unto strangers. The artificial consists in our manufactures and industrious trading with foreign commodities, concerning which I will set down such particulars as may serve for the cause we have in hand.

1. First, although this realm be already exceeding rich by nature, yet might it be much encreased by laying the waste grounds (which are infinite) into such employments as should no way hinder the present revenues of other manured lands, but hereby to supply our selves and prevent the importations of hemp, flax, cordage, tobacco, and divers other things which now we fetch from strangers to our great impoverishing.

2. We may likewise diminish our importations, if we would soberly refrain from excessive consumption of foreign wares in our diet and rayment, with such often change of fashions as is used, so much the more to encrease the waste and charge; which vices at this present are more notorious amongst us than in former ages. Yet might they easily be amended by enforcing the observation of such good laws as are strictly practised in other countries against the said excesses; where likewise by commanding their own manufactures to

be used, they prevent the coming in of others, without prohibition, or offence to strangers in their mutual commerce.

3. In our exportations we must not only regard our own superfluities, but also we must consider our neighbours necessities, that so upon the wares which they cannot want, nor yet be furnished thereof elsewhere, we may (besides the vent of the materials) gain so much of the manufacture as we can, and also endeavour to sell them dear, so far forth as the high price cause not a less vent in the quantity. But the superfluity of our commodities which strangers use, and may also have the same from other nations, or may abate their vent by the use of some such like wares from other places, and with little inconvenience; we must in this case strive to sell as cheap as possible we can, rather than to lose the utterance of such wares. For we have found of late years by good experience, that being able to sell our cloth cheap in Turkey, we have greatly encreased the vent thereof, and the Venetians have lost as much in the utterance of theirs in those countries, because it is dearer. And on the other side a few years past, when by the excessive price of wools our cloth was exceeding dear, we lost at the least half our clothing for foreign parts, which since is no otherwise (well neer) recovered again than by the great fall of price for wools and cloth. We find that twenty five in the hundred less in the price of these and some other wares, to the loss of private mens revenues, may raise above fifty upon the hundred in the quantity vented to the benefit of the public. For when cloath is dear, other nations do presently practise clothing, and we know they want neither art nor materials to this performance. But when by cheapness we drive them from this employment, and so in time obtain our dear price again, then do they also use their former remedy. So that by these alterations we learn, that it is in vain to expect a greater revenue of our wares than their condition will afford, but rather it concerns us to apply our endeavours to the times with care and diligence to help our selves the best we may, by making our cloth and other manufactures without deceit, which will encrease their estimation and use.

4. The value of our exportations likewise may be much advanced when we perform it ourselves in our own ships, for then we get not only the price of our wares as they are worth here, but also the merchants gains, the charges of ensurance, and freight to carry them beyond the seas. As for example, if the Italian merchants should come hither in their own shipping to fetch our corn, our red herrings or the like, in this case the kingdom should have ordinarily but 25 s. for a quarter of wheat, and 20 s. for a barrel of red herrings, whereas if we carry these wares ourselves into Italy upon the said rates, it is likely that we shall obtain fifty shillings for the first, and forty shillings for the last, which is a great difference in the utterance or vent of the kingdom's stock, And al-

though it is true that the commerce ought to be free to strangers to bring in and carry out at their pleasure, yet nevertheless in many places the exportation of victuals and munition are either prohibited, or at least limited to be done only by the people and shipping of those places where they abound.

5. The frugal expending likewise of our own natural wealth might advance much yearly to be exported unto strangers; and if in our rayment we will be prodigal, yet let this be done with our own materials and manufactures, as cloth, lace, imbroderies, cutworks and the like, where the excess of the rich may be the employment of the poor, whose labours notwithstanding of this kind, would be more profitable for the common wealth, if they were done to the use of strangers.

6. The fishing in his majesty's seas of England, Scotland and Ireland is our natural wealth, and would cost nothing but labour, which the Dutch bestow willingly, and thereby draw yearly a very great profit to themselves by serving many places of Christendom with our fish, for which they return and supply their wants both of foreign wares and money, besides the multitude of mariners and shipping, which hereby are maintained, whereof a long discourse might be made to shew the particular manage of this important business. Our fishing plantation likewise in New-England, Virginia, Groenland, the Summer Islands and the New-foundland, are of the like nature, affording much wealth and employments to maintain a great number of poor, and to encrease our decaying trade.

7. A staple or magazine for foreign corn, indico, spices, raw-silks, cotton wool or any other commodity whatsoever, to be imported will encrease shipping, trade, treasure, and the king's customs, by exporting them again where need shall require, which course of trading hath been the chief means to raise Venice, Genoa, the Low-Countries, with some others; and for such a purpose England stands most commodiously, wanting nothing to this performance but our own diligence and endeavour.

8. Also we ought to esteem and cherish those trades which we have in remote or far countries, for besides the encrease of shipping and mariners thereby, the wares also sent thither and received from thence are far more profitable unto the kingdom than by our trades near at hand; as for example; suppose pepper to be worth here two shillings the pound constantly, if then it be brought from the Dutch at Amsterdam, the merchant may give there twenty pence the pound, and gain well by the bargain; but if he fetch this pepper from the East Indies, he must not give above three pence the pound at the most, which is a mighty advantage, not only in that part which serveth for our own use, but also for that great quantity which (from hence) we transport yearly unto divers other nations to be sold at a higher price: whereby it

is plain, that we make a far greater stock by gain upon these Indian commodities, than those nations do where they grow, and to whom they properly appertain, being the natural wealth of their countries. But for the better understanding of this particular, we must ever distinguish between the gain of the kingdom, and the profit of the merchant; for although the kingdom payeth no more for this pepper than is before supposed, nor for any other commodity bought in foreign parts more than the stranger receiveth from us for the same, yet the merchant payeth not only that price, but also the freight, ensurance, customs and other charges which are exceeding great in these long voyages; but yet all these in the kingdom's accompt are but commutations among our selves, and no privation of the kingdom's stock, which being duly considered, together with the support also of our other trades in our best shipping to Italy, France, Turkey, the East countries and other places, by transporting and venting the wares which we bring yearly from the East Indies; it may well stir up our utmost endeavours to maintain and enlarge this great and noble business, so much importing the public wealth, strength, and happiness. Neither is there less honour and judgement by growing rich (in this manner) upon the stock of other nations, than by an industrious encrease of our own means, especially when this latter is advanced by the benefit of the former, as we have found in the East Indies by sale of much of our tin, cloth, lead and other commodities, the vent whereof doth daily encrease in those countries which formerly had no use of our wares.

9. It would be very beneficial to export money as well as wares, being done in trade only, it would encrease our treasure; but of this I write more largely in the next chapter to prove it plainly.

10. It were policy and profit for the state to suffer manufactures made of foreign materials to be exported custom-free, as velvets and all other wrought silks, fustians, thrown silks and the like, it would employ very many poor people, and much encrease the value of our stock yearly issued into other countries, and it would (for this purpose) cause the more foreign materials to be brought in, to the improvement of his majesty's customs. I will here remember a notable encrease in our manufacture of winding and twisting only of foreign raw silk, which within 35. years to my knowledge did not employ more than 300. people in the city and suburbs of London, where at this present time it doth set on work above fourteen thousand souls, as upon diligent enquiry hath been credibly reported unto his majesty's commissioners for trade. And it is certain, that if the said foreign commodities might be exported from hence, free of custom, this manufacture would yet encrease very much, and decrease as fast in Italy and in the Netherlands. But if any man alledge the Dutch proverb, *Live and let others live*; I answer, that the Dutchmen notwithstanding

ing their own proverb, do not only in these kingdoms, encroach upon our livings, but also in other foreign parts of our trade (where they have power) they do hinder and destroy us in our lawful course of living, hereby taking the bread out of our mouth, which we shall never prevent by plucking the pot from their nose, as of late years too many of us do practise to the great hurt and dishonour of this famous nation; we ought rather to imitate former times in taking sober and worthy courses more pleasing to God and suitable to our ancient reputation.

11. It is needful also not to charge the native commodities with too great customs, lest by indearing them to the strangers use, it hinder their vent. And especially foreign wares brought in to be transported again should be favoured, for otherwise that manner of trading (so much importing the good of the common-wealth) cannot prosper nor subsist. But the consumption of such foreign wares in the realm may be the more charged, which will turn to the profit of the kingdom in the ballance of the trade, and thereby also enable the king to lay up the more treasure out of his yearly incomes, as of this particular I intend to write more fully in its proper place, where I shall shew how much money a prince may conveniently lay up without the hurt of his subjects.

12. Lastly, in all things we must endeavour to make the most we can of our own, whether it be natural or artificial; and forasmuch as the people which live by the arts are far more in number than they who are masters of the fruits, we ought the more carefully to maintain those endeavours of the multitude, in whom doth consist the greatest strength and riches both of king and kingdom: for where the people are many, and the arts good, there the traffic must be great, and the country rich. The Italians employ a greater number of people, and get more money by their industry and manufactures of the raw silks of the kingdom of Sicilia, than the king of Spain and his subjects have by the revenue of this rich commodity. But what need we fetch the example so far, when we know that our own natural wares do not yield us so much profit as our industry? For iron oar in the mines is of no great worth, when it is compared with the employment and advantage it yields being digged, tried, transported, bought, sold, cast into ordnance, muskets, and many other instruments of war for offence and defence, wrought into anchors, bolts, spikes, nayles and the like, for the use of ships, houses, carts, coaches, ploughs, and other instruments for tillage. Compare our fleece-wools with our cloth, which requires shearing, washing, carding, spinning, weaving, fulling, dying, dressing and other trimmings, and we shall find these arts more profitable than the natural wealth, whereof I might instance other examples, but I will not be more tedious, for if I would amplify upon this and the other particulars before witness, I might find matter sufficient to make a large

volume, but my desire in all is only to prove what I propound with brevity and plainness.

CHAPTER IV: THE EXPORTATION OF OUR MONEYS IN TRADE OF MERCHANTIZE, IS A MEANS TO ENCREASE OUR TREASURE

This position is so contrary to the common opinion, that it will require many and strong arguments to prove it before it can be accepted of the multitude. who bitterly exclaim when they see any monies carried out of the realm; affirming thereupon that we have absolutely lost so much treasure, and that this is an act directly against the long continued laws made and confirmed by the wisdom of this kingdom in the high court of parliament, and that many places, nay Spain itself which is the fountain of money, forbids the exportation thereof, some cases only excepted. To all which I might answer, that Venice, Florence, Genoa, the Low Countries and divers other places permit it, their people applaud it, and find great benefit by it; but all this makes a noise and proves nothing, we must therefore come to those reasons which concern the business in question.

First, I will take that for granted which no man of judgement will deny, that we have no other means to get treasure but by foreign trade, for mines we have none which do afford it, and how this money is gotten in the managing of our said trade I have already shewed, that it is done by making our commodities which are exported yearly to over-balance in value the foreign wares which we consume; so that it resteth only to shew how our monies may be added to our commodities, and being jointly exported may so much the more encrease our treasure.

We have already supposed our yearly consumptions of foreign wares to be for the value of twenty hundred thousand pounds, and our exportations to exceed that two hundred thousand pounds, which sum we have thereupon affirmed is brought to us in treasure to ballance the accompt. But now if we add three hundred thousand pounds more in ready money unto our former exportations in wares, what profit can we have (will some men say) although by this means we should bring in so much ready money more than we did before, seeing that we have carried out the like value.

To this the answer is, that when we have prepared our exportations of wares, and sent out as much of every thing as we can spare or vent abroad: It is not therefore said that then we should add our money thereunto to fetch in the more money immediately, but rather first to enlarge our trade by enabling us to bring in more foreign wares, which being sent out again will in due time much encrease our treasure.

For although in this manner we do yearly multiply our importations to the maintenance of more shipping and mariners, improvement of his majesty's customs and other benefits: yet our consumption of those foreign wares is no more than it was before; so that all the said encrease of commodities brought in by the means of our ready money sent out as is afore written, doth in the end become an exportation unto us of a far greater value than our said monies were, which is proved by three several examples following.

1. For I suppose that 100000. £ being sent in our shipping to the East countries, will buy there one hundred thousand quarters of wheat clear aboard the ships, which being after brought into England and housed, to export the same at the best time for vent thereof in Spain or Italy, it cannot yield less in those parts than two hundred thousand pounds to make the merchant but a saver, yet by this reckoning we see the kingdom hath doubled that treasure.

2. Again this profit will be far greater when we trade thus in remote countries, as for example, if we send one hundred thousand pounds into the East Indies to buy pepper there, and bring it hither, and from hence send it for Italy or Turkey, it must yield seven hundred thousand pounds at least in those places, in regard of the excessive charge which the merchant disburseth in those long voyages in shipping wages, victuals, insurance, interest, customs, imposts, and the like, all which notwithstanding the king and the kingdom gets.

3. But where the voyages are short and the wares rich, which therefore will not employ much shipping, the profit will be far less. As when another hundred thousand pounds shall be employed in Turkey in raw silks, and brought hither to be after transported from hence into France, the Low Countries, or Germany, the merchant shall have good gain, although he sell it there but for one hundred and fifty thousand pounds: and thus take the voyages altogether in their medium, the monies exported will be returned unto us more than trebled. But if any man will yet object, that these returns come to us in wares, and not really in money as they were issued out.

The answer is (keeping our first ground) that if our consumption of foreign wares be no more yearly than is already supposed, and that our exportations be so mightily encreased by this manner of trading with ready money as is before declared: it is not then possible but that all the overballance or difference should return either in money or in such wares as we must export again, which, as is already plainly shewed, will be still a greater means to encrease our treasure.

For it is in the stock of the kingdom as in the estates of private men, who having store of wares, do not therefore say that they will not venture out or trade with their money (for this were ridiculous) but do also turn that into

wares whereby they multiply their money, and so by a continual and orderly change of one into the other grow rich, and when they please turn all their estates into treasure; for they that have wares cannot want money.

Neither is it said that money is the life of trade, as if it could not subsist without the same; for we know that there was great trading by way of commutation or barter when there was little money stirring in the world. The Italians and some other nations have such remedies against this want, that it can neither decay nor hinder their trade, for they transfer bills of debt, and have banks both public and private, wherein they do assign their credits from one to another daily for very great sums with ease and satisfaction by writings only, whilst in the mean time the mass of treasure which gave foundation to these credits is employed in foreign trade as a merchandize, and by the said means they have little other use of money in those countries more than for their ordinary expences. It is not therefore the keeping of our money in the kingdom, but the necessity and use of our wares in foreign countries, and our want of their commodities that causeth the vent and consumption on all sides, which makes a quick and ample trade. If we were once poor, and now having gained some store of money by trade with resolution to keep it still in the realm; shall this cause other nations to spend more of our commodities than formerly they have done, whereby we might say that our trade is quickened and enlarged? No verily, it will produce no such good effect: but rather according to the alteration of times by their true causes we may expect the contrary; for all men do consent that plenty of money in a kingdom doth make the native commodities dearer, which as it is to the profit of some private men in their revenues, so it is directly against the benefit of the public in the quantity of the trade; for as plenty of money makes wares dearer, so dear wares decline their use and consumption, as hath been already plainly shewed in the last chapter upon that particular of our cloth; and although this is a very hard lesson for some great landed men to learn, yet I am sure it is a true lesson for all the land to observe, lest when we have gained some store of money by trade, we lose it again by not trading with our money. I knew a prince in Italy (of famous memory) Ferdinando the first, great duke of Tuscany, who being very rich in treasure, endeavoured therewith to enlarge his trade by issuing out to his merchants great sums of money for very small profit; I myself had forty thousand crowns of him gratis for a whole year, although he knew that I would presently send it away in specie for the parts of Turkey to be employed in wares for his countries, he being well assured that in this course of trade it would return again (according to the old saying) with a duck in the mouth. This noble and industrious prince by his care and diligence to countenance and favour merchants in their affairs, did so encrease the practice

thereof, that there is scarce a nobleman or gentleman in all his dominions that doth not merchandize either by himself or in partnership with others, whereby within these thirty years the trade to his port of Leghorn is so much encreased, that of a poor little town (as I myself knew it) it is now become a fair and strong city, being one of the most famous places for trade in all Christendom. And yet it is worthy our observation, that the multitude of ships and wares which come thither from England, the Low Countries, and other places, have little or no means to make their returns from thence but only in ready money, which they may and do carry away freely at all times, to the incredible advantage of the said great Duke of Tuscany and his subjects, who are much enriched by the continual great concourse of merchants from all the states of the neighbour princes, bringing them plenty of money daily to supply their wants of the said wares. And thus we see that the current of merchandize which carries away their treasure, becomes a flowing stream to fill them again in a greater measure with money.

There is yet an objection or two as weak as all the rest: that is, if we trade with our money we shall issue out the less wares; as if a man should say, those countries which heretofore had occasion to consume our cloth, lead, tin, iron, fish, and the like, shall now make use of our monies in the place of those necessities, which were most absurd to affirm, or that the merchant had not rather carry out wares by which there is ever some gain expected, than to export money which is still but the same without any encrease.

But on the contrary there are many countries which may yield us very profitable trade for our money, which otherwise afford us no trade at all, because they have no use of our wares, as namely the East Indies for one in the first beginning thereof, although since by industry in our commerce with those nations we have brought them into the use of much of our lead, cloth, tin, and other things, which is a good addition to the former vent of our commodities.

Again, some men have alledged that those countries which permit money to be carried out, do it because they have few or no wares to trade withall: but we have great store of commodities, and therefore their action ought not to be our example.

To this the answer is briefly, that if we have such a quantity of wares as doth fully provide us of all things needful from beyond the seas: why should we then doubt that our monies sent out in trade, must not necessarily come back again in treasure; together with the great gains which it may procure in such manner as is before set down? And on the other side, if those nations which send out their monies do it because they have but few wares of their own, how come they then to have so much treasure as we ever see in those

places which suffer it freely to be exported at all times and by whomsoever? I answer, even by trading with their monies; for by what other means can they get it, having no mines of gold or silver?

Thus may we plainly see, that when this weighty business is duly considered in this end, as all our human actions ought well to be weighed, it is found much contrary to that which most men esteem thereof, because they search no further than the beginning of the work, which misinforms their judgements, and leads them into error: for if we only behold the actions of the husbandman in the seed-time when he casteth away much good corn into the ground, we will rather account him a mad man than a husbandman: but when we consider his labours in the harvest which is the end of his endeavours, we find the worth and plentiful encrease of his actions.

CHAPTER XX: THE ORDER AND MEANS WHEREBY WE MAY DRAW UP THE BALLANCE OF OUR FOREIGN TRADE

Now, that we have sufficiently proved the ballance of our foreign trade to be the true rule of our treasure; it resteth that we shew by whom and in what manner the said ballance may be drawn up at all times, when it shall please the state to discover how we prosper or decline in this great and weighty business, wherein the officers of his majesty's customs are the only agents to be employed, because they have the accounts of all the wares which are issued out or brought into the kingdom; and although (it is true) they cannot exactly set down the cost and charges of other mens goods bought here or beyond the seas; yet nevertheless, if they ground themselves upon the book of rates, they shall be able to make such an estimate as may well satisfy this enquiry: for it is not expected that such an account can possibly be drawn up to a just ballance, it will suffice only that the difference be not over-great.

First therefore, concerning our exportations, when we have valued their first cost, we must add twenty five per cent. thereunto for the charges here, for freight of ships, ensurance of the adventure, and the merchants gain; and for our fishing trades, which pay no custom to his majesty, the value of such exportations may be easily esteem'd by good observations which have been made, and may continually be made, according to the increase or decrease of those affairs, the present estate of this commodity being valued at one hundred and forty thousand pounds issued yearly. Also we must add to our exportations all the monies which are carried out in trade by licence from his majesty.

Secondly, for our importations of foreign wares, the custom-books serve only to direct us concerning the quantity, for we must not value them as they are rated here, but as they cost us with all charges laden into our ships beyond the seas, in the respective places where they are bought: for the merchants

gain, the charges of ensurance, freight of ships, customs, imposts, and other duties here, which do greatly indear them unto our use and consumption, are notwithstanding but commutations amongst ourselves, for the stranger hath no part thereof: wherefore our said importations ought to be valued at twenty five per cent. less than they are rated to be worth here. And although this may seem to be too great allowance upon many rich commodities, which come but from the Low Countries and other places near hand, yet will it be found reasonable, when we consider it in gross commodities, and upon wares laden in remote countries, as our pepper, which cost us, with charges, but four pence the pound in the East Indies, and it is here rated at twenty pence the pound: so that when all is brought into a medium, the valuation ought to be made as aforewritten. And therefore, the order which hath been used to multiply the full rates upon wares inwards by twenty, would produce a very great error in the ballance, for in this manner the ten thousand bags of pepper, which this year we have brought hither from the East Indies, should be valued at very near two hundred and fifty thousand pounds, whereas all this pepper in the kingdom's accompt, cost not above fifty thousand pounds, because the Indians have had no more of us, although we paid them extraordinary dear prices for the same. All the other charges (as I have said before) is but a change of effects amongst ourselves, and from the subject to the king, which cannot impoverish the commonwealth. But it is true, that whereas nine thousand bags of the said pepper are already shipped out for divers foreign parts; these and all other wares, foreign or domestic, which are thus transported outwards, ought to be cast up by the rates of his majesty's custom-money, multiplied by twenty, or rather by twenty five (as I conceive) which will come nearer the reckoning, when we consider all our trades to bring them into a medium.

Thirdly, we must remember, that all wares exported or imported by strangers (in their shipping) be esteemed by themselves, for what they carry out, the kingdom hath only the first cost and the custom: and what they bring in, we must rate it as it is worth here, the custom, impost, and petty charges only deducted.

Lastly, there must be good notice taken of all the great losses which we receive at sea in our shipping either outward or homeward bound: for the value of the one is to be deducted from our exportations, and the value of the other is to be added to our importations: for to lose and to consume doth produce one and the same reckoning. Likewise if it happen that his majesty doth make over any great sums of money by exchange to maintain a foreign war, where we do not feed and cloth the soldiers, and provide the armies, we must deduct all this charge out of our exportations or add it to our importations; for this expence doth either carry out or hinder the coming in of so much treasure.

And here we must remember the great collections of money which are supposed to be made throughout the realm yearly from our recusants by priests and Jesuits, who secretly convey the same unto their colleges, cloysters and nunneries beyond the seas, from whence it never returns to us again in any kind; therefore if this mischief cannot be prevented, yet it must be esteemed and set down as a clear loss to the kingdom, except (to ballance this) we will imagine that as great a value may perhaps come in from foreign princes to their pensioners here for favours or intelligence, which some states account good policy, to purchase with great liberality; the receipt whereof notwithstanding is plain treachery.

There are yet some other petty things which seem to have reference to this ballance, of which the said officers of his majesty's customs can take no notice, to bring them into the accompt. As namely, the expences of travellers, the gifts to ambassadors and strangers, the fraud of some rich goods not entred into the customhouse, the gain which is made here by strangers by change and re-change, interest of money, ensurance upon English mens goods and their lives: which can be little when the charges of their living here is deducted; besides that the very like advantages are as amply ministred unto the English in foreign countries, which doth counterpoize all these things, and therefore they are not considerable in the drawing up of the said ballance.

CHAPTER XXI: THE CONCLUSION UPON ALL THAT HATH BEEN SAID, CONCERNING THE EXPORTATION OR IMPORTATION OF TREASURE

The sum of all that hath been spoken, concerning the enriching of the kingdom, and the encrease of our treasure by commerce with strangers, is briefly thus. That it is a certain rule in our foreign trade, in those places where our commodities exported are overballanced in value by foreign wares brought into this realm, there our money is undervalued in exchange; and where the contrary of this is performed, there our money is overvalued. But let the merchants exchange be at a high rate, or at a low rate, or at the *par pro pari*,¹ or put down altogether; let foreign princes enhance their coins, or debase their standards, and let his majesty do the like, or keep them constant as they now stand; let foreign coins pass current here in all payments at higher rates than they are worth at the Mint; let the statute for employments by strangers stand in force or be repealed; let the meer exchanger do his worst; let princes oppress, lawyers extort, usurers bite, prodigals waste, and lastly let merchants carry out what money they shall have occasion to use in traffic. Yet all these actions can work no other effects in the course of trade than is declared in this discourse. For so much treasure only will be brought in or carried out of a commonwealth, as the foreign trade doth over or under ballance in value. And

¹ [That is, *equal for equal*.]

this must come to pass by a necessity beyond all resistance. So that all other courses (which tend not to this end) howsoever they may seem to force money into a kingdom for a time, yet are they (in the end) not only fruitless but also hurtful: they are like to violent floods which bear down their banks, and suddenly remain dry again for want of waters.

Behold then the true form and worth of foreign trade, which is, the great revenue of the king, the honour of the kingdom, the noble profession of the merchant, the school of our arts, the supply of our wants, the employment of our poor, the improvements of our lands, the nursery of our mariners, the walls of the kingdoms, the means of our treasure, the sinews of our wars, the terror of our enemies. For all which great and weighty reasons, do so many well governed states highly countenance the profession, and carefully cherish the action, not only with policy to encrease it, but also with power to protect it from all foreign injuries: because they know it is a principal in reason of state to maintain and defend that which doth support them and their estates.

THE NAVIGATION ACT OF 1651

THE NAVIGATION ACT of 1651, passed during Cromwell's rule, followed an English tradition dating from the reign of Richard II in the fourteenth century. Its special significance lies in the fact that it was the first of a series of laws that established England's commercial and colonial policy in the period of her rise to world power.

The Act, or Ordinance, of 1651 was expanded and strengthened by laws of 1660, 1663, 1672, and 1696. The policy was continued by the various restrictive measures with regard to the American colonies, such as the Woolens Act of 1699 and the Hat Act of 1732. The emphasis of this legislation changed, however, and, while the Act of 1651 was aimed largely at the Dutch carrying trade, the later laws were designed to enforce the principles of the "Colonial Compact" in the colonies.¹

The Act of 1651 did not in itself succeed in destroying Dutch shipping, for the subsequent decline of the Netherlands developed from more general factors as well. It did, however, mark the conscious elaboration of the policy which was to guide England until the nineteenth century. The text is that of Firth and Rait, *Acts and Ordinances of the Interregnum, 1642-1660* (London, 1911), Vol. II.



AN ACT FOR INCREASE OF SHIPPING, AND ENCOURAGEMENT OF THE NAVIGATION OF THIS NATION

FOR THE INCREASE of the Shipping and the Encouragement of the Navigation of this Nation, which under the good Providence and Protection of God, is so great a means of the Welfare and Safety of this Commonwealth; Be it Enacted by this present Parliament, and the Authority thereof, That from and after the First day of December, One thousand six hundred fifty and one, and from thence forwards, no Goods or Commodities whatsoever, of the Growth, Production or Manufacture of Asia, Africa or America, or of any part thereof; or of any Islands belonging to them, or any of them, or which are described or laid down in the usual Maps or Cards of those places, as well of the English Plantations as others, shall be Imported or brought into this Commonwealth of England, or into Ireland, or any other Lands, Islands, Plantations or Territories to this Commonwealth belonging, or in their Possession, in any other Ship or Ships, Vessel or Vessels whatsoever, but onely in such as do truly and

¹ See the Hat Act, p. 846.

without fraud belong onely to the People of this Commonwealth, or the Plantations thereof, as the *Proprietors* or *right Owners* thereof; and whereof the Master and Mariners are also for the most part of them, of the People of this Commonwealth, under the penalty of the forfeiture and loss of all the Goods that shall be Imported contrary to this Act; as also of the Ship (with all her Tackle, Guns and Apparel) in which the said Goods or Commodities shall be so brought in and Imported; the one moyety to the use of the Commonwealth, and the other moyety to the use and behoof of any person or persons who shall seize the said Goods or Commodities, and shall prosecute the same in any Court of Record within this Commonwealth.

And it is further Enacted by the Authority aforesaid, That no Goods or Commodities of the Growth, Production or Manufacture of Europe, or of any part thereof, shall after the First day of December, One thousand six hundred fifty and one, be imported or brought into this Commonwealth of England, or into Ireland, or any other Lands, Islands, Plantations or Territories to this Commonwealth belonging, or in their possession, in any Ship or Ships, Vessel or Vessels whatsoever, but in such as do truly and without fraud belong onely to the people of this Commonwealth, as the true Owners and Proprietors thereof, and in no other, except onely such Foreign Ships and Vessels as do truly and properly belong to the people of that Countrey or Place, of which the said Goods are the Growth, Production or Manufacture; or to such Ports where the said Goods can onely be, or most usually are first shipped for Transportation; And that under the same penalty of forfeiture and loss expressed in the former Branch of this Act, the said Forfeitures to be recovered and employed as is therein expressed.

And it is further Enacted by the Authority aforesaid, That no Goods or Commodities that are of Foreign Growth, Production or Manufacture, and which are to be brought into this Commonwealth, in Shipping belonging to the People thereof, shall be by them Shipped or brought from any other place or places, Countrey or Countreys, but onely from those of their said Growth, Production or Manufacture; or from those Ports where the said Goods and Commodities can onely, or are, or usually have been first shipped for Transportation; and from none other Places or Countreys, under the same penalty of forfeiture and loss expressed in the first Branch of this Act, the said Forfeitures to be recovered and employed as is therein expressed.

And it is further Enacted by the Authority aforesaid, That no sort of Cod-fish, Ling, Herring, Pilchard, or any other kinde of salted Fish, usually fished for and caught by the people of this Nation; nor any Oyl made, or that shall be made of any kinde of Fish whatsoever; nor any Whale-fins, or Whale-bones, shall from henceforth be Imported into this Commonwealth, or into Ireland,

or any other Lands, Islands, Plantations, or Territories thereto belonging, or in their possession, but onely such as shall be caught in Vessels that do or shall truly and properly belong to the people of this Nation, as Proprietors and Right Owners thereof: And the said Fish to be cured, and the Oyl aforesaid made by the people of this Commonwealth, under the penalty and loss expressed in the said first Branch of this present Act; the said Forfeit to be recovered and imployed as is there expressed.

And it is further Enacted by the Authority aforesaid, That no sort of Cod, Ling, Herring, Pilchard, or any other kinde of Salted Fish whatsoever, which shall be caught and cured by the people of this Commonwealth, shall be from and after the First day of February, One thousand six hundred fifty three, exported from any place or places belonging to this Commonwealth, in any other Ship or Ships, Vessel or Vessels, save onely in such as do truly and properly appertain to the people of this Commonwealth, as Right Owners; and whereof the Master and Mariners are for the most part of them English, under the penalty and loss expressed in the said first Branch of this present Act; the said Forfeit to be recovered and imployed as is there expressed.

Provided always, That this Act, nor any thing therein contained, extend not, or be meant to restrain the Importation of any of the Commodities of the Straights or Levant Seas, loaden in the Shipping of this Nation as aforesaid, at the usual Ports or places for lading of them theretofore, within the said Straights or Levant Seas, though the said Commodities be not of the very Growth of the said places.

Provided also, That this Act nor any thing therein contained, extend not, nor be meant to restrain the Importing of any East-India Commodities loaden in the Shipping of this Nation, at the usual Port or places for Lading of them heretofore in any part of those Seas, to the Southward and Eastward of Cabo Bona Esperanza, although the said Ports be not the very places of their Growth.

Provided also, That it shall and may be lawful to and for any of the People of this Commonwealth, in Vessels or Ships to them belonging, and whereof the Master and Mariners are of this Nation as aforesaid, to load and bring in from any of the Ports of Spain and Portugal, all sorts of Goods or Commodities that have come from, or any way belonged unto the Plantations or Dominions of either of them respectively.

Be it also further Enacted by the authority aforesaid, That from henceforth it shall not be lawful to any person or persons whatsoever, to load or cause to be loaden and carried in any Bottom or Bottoms, Ship or Ships, Vessel or Vessels whatsoever, whereof any Stranger or Strangers born (unless such as be Denizens or Naturalized) be Owners, part Owners, or Master, any Fish, Victual, Wares, or things of what kinde or nature soever the same shall be,

from one Port or Creek of this Commonwealth, to another Port or Creek of the same, under penalty to every one that shall offend contrary to the true meaning of this Branch of this present Act, to forfeit all the Goods that shall be so laden or carried, as also the Ship upon which they shall be so laden or carried, the same Forfeit to be recovered and imployed as directed in the first Branch of this present Act.

Lastly, That this Act nor any thing therein contained, extend not to Bullion, nor yet to any Goods taken, or that shall be taken by way of Reprizal by any Ship or Ships, having Commission from this Commonwealth.

Provided, That this Act, or any thing therein contained, shall not extend, nor be construed to extend to any Silk or Silk-wares which shall be brought by Land from any parts of Italy, and there bought with the proceed of English Commodities, sold either for Money or in Barter; but that it shall and may be lawful for any of the People of this Commonwealth to ship the same in English Vessels from Ostend, Newport, Rotterdam, Middleburgh, Amsterdam, or any Ports thereabouts; the Owners and Proprietors first making Oath by themselves, or other credible Witness, before the Commissioners of the Customs for the time being, or their Deputies, or one of the Barons of the Exchequer, that the Goods aforesaid were so bought for his or their own proper accompt in Italy.

THE HAT ACT OF 1732

THE HAT Act of 1732 is illustrative of the so-called "Colonial Compact," the mercantilist concept of the relations which should exist between mother country and colonies. The colonies were to serve as sources of raw materials and as markets for the home land. In turn, they were to be protected and given every aid and encouragement to stimulate their legitimate industries. James I, for example, was willing to destroy by force of arms tobacco cultivation in England, securing a monopoly to colonial planters in return for higher import duties. As the colonial population increased, and the colonial economy became more diversified, industries rose in the New World to compete with those of the Old. The terms of the "Colonial Compact" were thereby violated, and an effort was made to maintain them.

When colonial merchants and manufacturers began to take advantage of the plentiful supply of beaver to develop a growing hat trade, English producers protested strongly, and secured the passage of the act which follows. The text was taken from Pickering's *Statutes at Large*, 5 George II C. 22.



AN ACT TO PREVENT THE EXPORTATION OF HATS OUT OF ANY OF HIS MAJESTY'S COLONIES OR PLANTATIONS IN AMERICA

*And to Restrain the Number of Apprentices Taken by the Hat-makers
in the Said Colonies or Plantations, and for the Better Encour-
aging the Making Hats in GREAT BRITAIN*

WHEREAS the art and mystery of making hats in Great Britain hath arrived to great perfection, and considerable quantities of hats manufactured in this kingdom have heretofore been exported to his Majesty's plantations or colonies in America, who have been wholly supplied with hats from Great Britain; and whereas great quantities of hats have of late years been made, and the said manufacture is daily increasing in the British plantations in America, and is from thence exported to foreign markets, which were heretofore supplied from Great Britain, and the hat-makers in the said plantations take many apprentices for very small terms, to the discouragement of the said trade, and debasing the said manufacture: wherefore for preventing the said ill practices for the future, and for promoting and encouraging the trade of making hats in Great

Britain, be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal and commons in this present parliament assembled, and by the authority of the same, That from and after the twenty ninth day of *September* in the year of our Lord one thousand seven hundred and thirty two, no hats or felts whatsoever, dyed or undyed, finished or unfinished, shall be shipt, loaden or put on board any ship or vessel in any place or parts within any of the *British* plantations, upon any pretence whatsoever, by any person or persons whatsoever, and also that no hats or felts, either dyed or undyed, finished or unfinished, shall be loaden upon any horse, cart or other carriage, to the intent or purpose to be exported, transported, shipped off, carried or conveyed out of any of the said *British* plantations to any other of the *British* plantations, or to any other place whatsoever, by any person or persons whatsoever.

II. And be it further enacted by the authority aforesaid, That all and every the offender and offenders, offence and offences against this act, shall be subject and liable to the penalties and forfeitures herein after mentioned, that is to say, The said hats or felts dyed or undyed, finished or unfinished, so exported, transported, shipped off, carried, conveyed or loaden contrary to the true intent and meaning of this act, shall be forfeited, and that every of the offender and offenders therein shall likewise forfeit and pay the sum of five hundred pounds, for every such offence committed; and every master, mariner, porter, carter, waggoner, boatman, or other person whatsoever knowing such offence, and wittingly aiding and assisting therein, shall forfeit and pay the sum of forty pounds; which said several penalties and forfeitures shall and may be recovered by action of debt, bill, plaint or information in any of his Majesty's courts of record in *Great Britain*, or in such of the said plantations wherein such offence shall be committed (in which suit no essoin,¹ protection or wager of law, or more than one imparlance shall be allowed) and shall go and be applied, one moiety to the use of his Majesty, his heirs and successors, and the other moiety to him, her or them, that shall sue for the same.

III. And be it further enacted by the authority aforesaid, That it shall and may be lawful to and for any person or persons to seize, take, secure and convey to his Majesty's next warehouse all such hats and felts dyed or undyed, finished or unfinished, as he or they shall happen to see, find, know or discover to be laid on board in any ship, vessel or boat, or to be brought, carried or laid on shore, at or near the sea, or in any navigable river or water, to the intent or purpose to be exported or conveyed out of the said plantations, contrary to the

¹ [Excuse for non-appearance in court; protection; writ temporarily excusing one from a legal action; wager of law: acquittal by defendant's oath of innocence, when twelve others swear they believe his oath true. Imparlance: continuance or postponement of an action.]

true intent and meaning of this act, or to be laden upon any horse, cart or other carriage to the intent or purpose to be exported, conveyed or carried into any other of the said plantations, or into any other part or place whatsoever, contrary to the true intent and meaning hereof; and that such person or persons, that shall happen so to seize, take or secure any of the commodities aforesaid, shall be indemnified for so doing to all intents and purposes.

IV. *And to the intent and purpose that this act may more effectually be put in execution, for preventing the growing mischiefs that daily do or may arise to this kingdom, from the exportation of such goods as aforesaid, or any of them, out of the British plantations, should the same still be suffered to be sent from thence to supply other plantations and foreign markets, that are or have been supplied from Great Britain:* be it further enacted by the authority aforesaid, That if any commissioner or commissioners, or other officer or officers of the customs of any port or place within the *British* plantations, or any farmer or farmers of the revenue of the customs arising in the plantations, or any officer or officers employed in the management of the said revenue, shall, from and after the said twenty ninth day of *September* one thousand seven hundred and thirty two, take or suffer to be taken any entry outward, or sign any cocket,² warrant or sufferance for the shipping or exporting any hats or felts dyed or undyed, finished or unfinished, or shall wittingly and willingly permit, contrive or suffer the same to be done, directly or indirectly, contrary to the true intent and meaning of this act, that then and in every such case, such commissioner or commissioners, farmer or farmers, officer or officers so signing such cocquet, warrant or sufferance, or passing such entry for the same, or any wise conniving thereat, contrary to the true intent and meaning hereof, shall for every such offence or neglect, forfeit his office, and shall moreover for every such offence forfeit the sum of five hundred pounds, to be recovered and applied in manner and form as aforesaid.

V. And be it further enacted by the authority aforesaid, That every offence committed against this act shall and may be inquired of, tried, heard and determined, in the county where any such goods shall be so laden or put on board as aforesaid, or else in the county or place either in *Great Britain* or the plantations where such offender shall happen to be apprehended or arrested for such offence, or where any of the goods aforesaid shall happen to be seized, taken or brought in; and that the said trial shall be in such manner and form, and in such effect to all intents and purposes as if the same offence had been wholly done and committed in the same county or place where the same shall be tried by virtue and in pursuance of this act.

VI. And be it further enacted by the authority aforesaid, That if any action,

² [A customs certificate.]

bill, plaint or information, shall be commenced or prosecuted against any person for what he shall do in pursuance of this act, such person so sued shall and may file common bail or enter into a common appearance, and plead the general issue, not guilty, and, upon issue joined, may give this act and the special matter in evidence; and if the plaintiff or prosecutor shall become nonsuit, or suffer discontinuance, or if a verdict pass against him, or if upon demurrer judgment pass against him, the defendant shall recover treble costs, and damages.

VII. And it is hereby further enacted by the authority aforesaid, That no person residing in any of his Majesty's plantations in *America* shall, from and after the said twenty ninth day of *September* one thousand seven hundred and thirty two, make or cause to be made, any felt or hat of or with any wool or stuff whatsoever, unless he shall have first served as an apprentice in the trade or art of felt-making during the space of seven years at the least; neither shall any felt-maker or hat-maker in any of the said plantations employ, retain or set to work, in the said art or trade, any person as a journeyman or hired servant, other than such as shall have lawfully served an apprenticeship in the said trade for the space of seven years; nor shall any felt-maker or hat-maker in any of the said plantations have, take or keep above the number of two apprentices at one time, or take any apprentice for any less term than seven years, upon pain to forfeit and pay the sum of five pounds for every month that he shall continue offending in the premisses contrary to the true meaning of this act, of which one moiety shall go and be applied to the use of his Majesty, his heirs and successors, and the other moiety thereof to such person or persons as will sue for the same by action of debt, bill, plaint or information, to be commenced, brought or prosecuted in any court in the said plantations, wherein no essoin, protection or wager of law, or more than one imparlance shall be admitted or allowed for the defendant.

VIII. And be it further enacted by the authority aforesaid, That no person or persons inhabiting in the said plantations, from and after the said twenty ninth day of *September* one thousand seven hundred and thirty two, shall retain or set on work, in the said art of hat or felt making, any black or negro, upon pain to forfeit and pay the sum of five pounds for every month wherein such person or persons shall so offend, contrary to the meaning of this act; and to be recovered and applied in manner, and to the uses aforesaid.

IX. Provided always, That nothing in this act contained shall extend to charge any person or persons lawfully exercising the said art, with any penalty or forfeiture for setting or using his or their own son or sons to the making or working hats or felts in his or their own house or houses, so as every such son or sons be bound by indenture of apprenticeship, for the term of seven

years at the least, which term shall not be to expire before he shall be of the full age of twenty one years; any thing herein contained to the contrary notwithstanding.

X. Provided also, and be it enacted by the authority aforesaid, That every felt-maker residing in the said plantations, who at the beginning of this present session of parliament was a maker or worker of hats or felts, and being an housholder, and likewise all such as were at the beginning of this present session apprentices, covenant servants, or journeymen in the same art or mystery of felt-making so as such apprentices serve or make up their respective apprenticeships, shall and may continue and exercise the trade or art of making hats and felts in the said plantations, although the same persons were not bound apprentices to the same art for the term of seven years; any thing in this act to the contrary notwithstanding.

XI. And be it further enacted by the authority aforesaid, That this present act shall be deemed, and is hereby declared to be a public act, of which all judges and justices are to take notice without special pleading the same.

X

ABSOLUTISM
AND CONSTITUTIONALISM:
THE BRITISH EXPERIENCE

JAMES I

UPON THE DEATH of Elizabeth, James VI (1566–1625), king of Scotland, ascended the English throne as James I and thereby united England and Scotland under a common ruler. This first of the Stuarts to sit on the throne of England was a devout Anglican and a convinced absolute monarch, resting his authority on divine right. The *Trew Law of Free Monarchies*, published in 1598, was James's own statement of this position.

The background of this work was James's recurrent conflict with a recalcitrant Scottish nobility, and the unhappy treatment he and his mother (Mary, Queen of Scots) had suffered at the hands of the Calvinists. By a "free" monarchy James meant one free of foreign interference and domestic strife. Typical of divine right theorists, he insisted that the only alternative to the rule of a monarch by divine right and legitimate inheritance was anarchy. This was the position of the Stuarts in the English Civil Wars, when they held persistently to the doctrine that the office of king was beyond the reach of rational inquiry or civil rebellion.



THE TREW LAW OF FREE MONARCHIES; OR, THE RECIPROCK AND MUTUALL DUETIE BETWIXT A FREE KING AND HIS NATURALL SUBJECTS

AS THERE IS NOT a thing so necessarie to be knowne by the people of any land, next the knowledge of their God, as the right knowledge of their alleageance, according to the forme of government established among them, especially in a *Monarchie* (which forme of government, as resembling the Divinitie, approacheth nearest to perfection, as all the learned and wise men from the beginning have agreed upon; Unitie being the perfection of all things,) So hath the ignorance, and (which is worse) the seduced opinion of the multitude blinded by them, who thinke themselves able to teach and instruct the ignorants, procured the wracke and overthrow of sundry flourishing Commonwealths; and heaped heavy calamities, threatening utter destruction upon others. And the smiling successe, that unlawfull rebellions have oftentimes had against Princes in aages past (such hath bene the misery, and iniquitie of the time) hath by way of practise strengthened many in their error: albeit there cannot be a more deceiveable argument; then to judge ay the justnesse of the

cause by the event thereof; as hereafter shall be proved more at length. And among others, no Commonwealth, that ever hath bene since the beginning, hath had greater need of the trew knowledge of this ground, then this our so long disordered, and distracted Commonwealth hath: the misknowledge hereof being the onely spring, from whence have flowed so many endlesse calamities, miseries, and confusions, as is better felt by many, then the cause thereof well knowne, and deeply considered. The naturall zeale therefore, that I beare to this my native countrie, with the great pittie I have to see the so-long disturbance thereof for lacke of the trew knowledge of this ground (as I have said before) hath compelled me at last to breake silence, to discharge my conscience to you my deare country men herein, that knowing the ground from whence these your many endlesse troubles have proceeded, as well as ye have already too-long tasted the bitter fruites thereof, ye may by knowledge, and eschewing of the cause escape, and divert the lamentable effects that ever necessarily follow thereupon. I have chosen then onely to set downe in this short Treatise, the trew grounds of the mutuall duetie, and alleageance betwixt a free and absolute *Monarchie*, and his people; not to trouble your patience with answering the contrary propositions, which some have not bene ashamed to set downe in writ, to the poysoning of infinite number of simple soules, and their owne perpetuall, and well deserved infamie: For by answering them, I could not have eschewed whiles to pick, and byte wel saltly their persons; which would rather have bred contentiousnesse among the readers (as they had liked or misliked) then sound instruction of the trewth: Which I protest to him that is the searcher of all hearts, is the onely marke that I shoote at herein.

First then, I will set downe the trew grounds, whereupon I am to build, out of the Scriptures, since *Monarchie* is the trew paterne of Divinitie, as I have already said: next, from the fundamental Lawes of our owne Kingdome, which nearest must concerne us: thirdly, from the law of Nature, by divers similitudes drawne out of the same: and will conclude syne by answering the most waighty and appearing incommodities that can be objected.

The Princes duetie to his Subjects is so clearly set downe in many places of the Scriptures, and so openly confessed by all the good Princes, according to their oath in their Coronation, as not needing to be long therein, I shall as shortly as I can runne through it.

Kings are called Gods by the propheticall King *David*, because they sit upon God his Throne in the earth, and have the count of their administration to give unto him. Their office is, *To minister Justice and Judgement to the people*, as the same *David* saith: *To advance the good, and punish the evill*, as he likewise saith: *To establish good Lawes to his people, and procure obe-*

dience to the same, as divers good Kings of Judah did: To procure the peace of the people, as the same David saith: To decide all controversies that can arise among them as Salomon did: To be the Minister of God for the weale of them that doe well, and as the minister of God, to take vengeance upon them that doe evill, as S. Paul saith. And finally, As a good Pastour, to goe out and in before his people as is said in the first of Samuel: That through the Princes prosperitie, the peoples peace may be procured, as Jeremie saith.

And therefore in the Coronation of our owne Kings, as well as of every Christian *Monarche* they give their Oath, first to maintaine the Religion presently professed within their cuntry, according to their lawes, whereby it is established, and to punish all those that should presse to alter, or disturbe the profession thereof; And next to maintaine all the lovable and good Lawes made by their predecessours: to see them put in execution, and the breakers and violators thereof, to be punished, according to the tenour of the same: And lastly, to maintaine the whole cuntry, and every state therein, in all their ancient Priviledges and Liberties, as well against all forreine enemies, as among themselves: And shortly to procure the weale and flourishing of his people, not onely in maintaining and putting to execution the olde lovable lawes of the cuntry, and by establishing of new (as necessitie and evill manners will require) but by all other meanes possible to fore-see and prevent all dangers, that are likely to fall upon them, and to maintaine concord, wealth, and civilitie among them, as a loving Father, and careful watchman, caring for them more then for himselfe, knowing himselfe to be ordained for them, and they not for him; and therefore countable to that great God, who placed him as his lieutenant over them, upon the perill of his soule to procure the weale of both soules and bodies, as farre as in him lieth, of all them that are committed to his charge. And this oath in the Coronation is the clearest, civill, and fundamentall Law, whereby the Kings office is properly defined.

By the Law of Nature the King becomes a naturall Father to all his Lieges at his Coronation: And as the Father of his fatherly duty is bound to care for the nourishing, education, and vertuous government of his children; even so is the king bound to care for all his subjects. As all the toile and paine that the father can take for his children, will be thought light and well bestowed by him, so that the effect thereof redound to their profite and weale; so ought the Prince to doe towards his people. As the kindly father ought to foresee all inconvenients and dangers that may arise towards his children, and though with the hazard of his owne person presse to prevent the same; so ought the King towards his people. As the fathers wrath and correction upon any of his children that offendeth, ought to be by a fatherly chastisement seasoned with pitie, as long as there is any hope of amendment in them;

so ought the King towards any of his Lieges that offend in that measure. And shortly, as the Fathers chiefe joy ought to be in procuring his childrens welfare, rejoycing at their weale, sorrowing and pitying at their evill, to hazard for their safetie, travell for their rest, wake for their sleepe; and in a word, to thinke that his earthly felicitie and life standeth and liveth more in them, nor in himselfe; so ought a good Prince thinke of his people.

As to the other branch of this mutuall and reciproock band, is the duety and alleageance that the Lieges owe to their King: the ground whereof, I take out of the words of *Samuel*, dited [spoken] by Gods Spirit, when God had given him commandment to heare the peoples voice in choosing and annointing them a King. And because that place of Scripture being well understood, is so pertinent for our purpose, I have insert herein the very words of the Text.

- 9 *Now therefore hearken to their voice: howbeit yet testifie unto them, and shew them the maner of the King, that shall raigne over them.*
- 10 *So Samuel tolde all the wordes of the Lord unto the people that asked a King of him.*
- 11 *And he said, This shall be the maner of the King that shall raigne over you: he will take your sonnes, and appoint them to his Charets, and to be his horsemen, and some shall runne before his Charet.*
- 12 *Also, hee will make them his captaines over thousands, and captaines over fifties, and to eare [plow] his ground, and to reape his harvest, and to make instruments of warre and the things that serve for his Charets:*
- 13 *Hee will also take your daughters, and make them Apothicaries, and Cookes, and Bakers.*
- 14 *And hee will take your fields, and your vineyards, and your best Olive trees, and give them to his servants.*
- 15 *And he will take the tenth of your seed, and of your Vineyards, and gave it to his Eunuches, and to his servants.*
- 16 *And he will take your men servants, and your maid-servants, and the chiefe of your young men, and your asses, and put them to his worke.*
- 17 *He will take the tenth of your sheepe: and ye shall be his servants.*
- 18 *And ye shall cry out at that day, because of your King, whom ye have chosen you: and the Lord God will not heare you at that day.*
- 19 *But the people would not heare the voice of Samuel, but did say: Nay, but there shabe a King over us.*
- 20 *And we also will be all like other Nations, and our King shall judge us, and goe out before us, and fight our battels. . . .*

First, God commandeth Samuel to doe two things: the one, to grant the people their suit in giving them a king; the other, to forewarne them, what

some kings will doe unto them, that they may not thereafter in their grudging and murmuring say, when they shal feelee the snares here fore-spoken; We would never have had a king of God, in case when we craved him, hee had let us know how wee would have beene used by him, as now we finde but overlate. And this is meant by these words:

Now therefore hearken unto their voice: howbeit yet testifie unto them, and shew them the maner of the King that shall rule over them. . . .

And as unto the next point (which is his forewarning them, that, weary as they will, they shall not have leave to shake off the yoke, which God thorow [through] their importunity hath laid upon them) it is expressed in these words:

18 *And yee shall crie out at that day, because of your King whom yee have chosen you: and the Lord will not heare you at that day.*

As he would say; When ye shall finde these things in prooffe that now I forewarne you of, although you shall grudge and murmure, yet it shal not be lawful to you to cast it off, in respect it is not only the ordinance of God, but also your selves have chosen him unto you, thereby renouncing for ever all priviledges, by your willing consent out of your hands, whereby in any time hereafter ye would claime, and call backe unto your selves againe that power, which God shall not permit you to doe. And for further taking away of all excuse, and retraction of this their contract, after their consent to underlie this yoke with all the burthens that hee hath declared unto them, he craves their answere, and consent to his proposition: which appeareth by their answere, as it is expressed in these words:

19 *Nay, but there shall be a king over us.* 20 *And we also will be like all other nations: and our king shall judge us, and goe out before us and fight our battels.*

As if they would have said; All your speeches and hard conditions shall not skarre us, but we will take the good and evill of it upon us, and we will be content to beare whatsoever burthen it shal please our King to lay upon us, as well as other nations doe. And for the good we will get of him in fighting our battels, we will more patiently beare any burden that shall please him to lay on us.

Now then, since the erection of this Kingdome and Monarchie among the Jewes, and the law thereof may, and ought to bee a paterne to all Christian and well founded Monarchies, as beeing founded by God himselfe, who by

his Oracle, and out of his owne mouth gave the law thereof: what liberty can broiling spirits, and rebellious minds claime justly to against any Christian Monarchie; since they can claime to no greater libertie on their part, nor the people of God might have done, and no greater tyranny was ever executed by any Prince or tyrant, whom they can object, nor was here fore-warned to the people of God, (and yet all rebellion countermanded unto them) if tyrannizing over mens persons, sonnes, daughters and servants; redacting [reducing] noble houses, and men, and women of noble blood, to slavish and servile offices; and extortion, and spoile of their lands and goods to the princes owne private use and commoditie, and of his courtours, and servants, may be called a tyrannie?

And that this proposition grounded upon the Scripture, may the more clearly appeare to be trew by the practise oft proved in the same booke, we never reade, that ever the Prophets perswaded the people to rebell against the Prince, how wicked soever he was. . . .

And under the Evangel, that king, whom *Paul* bids the *Romanes obey* and serve *for conscience sake*, was *Nero* that bloody tyrant, an infamie to his aage, and a monster to the world, being also an idolatrous persecuter, as the King of *Babel* was. If then Idolatrie and defection from God, tyranny over their people, and persecution of the Saints, for their profession sake, hindered not the Spirit of God to command his people under all highest paine to give them all due and heartie obedience for conscience sake, giving to *Caesar* that which was *Caesars*, and to God that which was Gods, as Christ saith; and that this practise throughout the booke of God agreeth with this lawe, which he made in the erection of that Monarchie (as is at length before deduced) what shamelesse presumption is it to any Christian people now adayes to claime to that unlawfull libertie, which God refused to his owne peculiar and chosen people? Shortly then to take up in two or three sentences, grounded upon all these arguments, out of the lawe of God, the ductie, and alleageance of the people to their lawfull king, their obedience, I say, ought to be to him, as to Gods Lieutenant in earth, obeying his commands in all thing, except directly against God, as the commands of Gods Minister, acknowledging him a Judge set by God over them, having power to judge them, but to be judged onely by God, whom to onely hee must give count of his judgement; fearing him as their Judge, loving him as their father; praying for him as their protectour; for his continuance, if he be good; for his amendment, if he be wicked; following and obeying his lawfull commands, eschewing and flying his fury in his unlawfull, without resistance, but by sobbes and teares to God, according to that sentence used in the primitive Church in the time of the persecution.

*Preces, & Lachrymae sunt arma Ecclesiae.*¹

Now, as for the describing the allegiance, that the lieges owe to their native King, out of the fundamentall and civill Lawe, especially of this contrey, as I promised, the ground must first be set downe of the first maner of establishing the Lawes and forme of government among us; that the ground being first right laide, we may thereafter build rightly thereupon. Although it be trew (according to the affirmation of those that pryde themselves to be the scourges of Tyrants) that in the first beginning of King's rising among the Gentiles, in that time of the first aage, divers commonwealths and societies of men choosed out one among themselves, who for his vertues and valour, being more eminent then the rest, was chosen out by them, and set up in that roome, to maintaine the weakest in their right, to throw downe oppressours, and to foster and continue the societie among men; which could not otherwise, but by vertue of that unitie be wel done: yet these examples are nothing pertinent to us; because our Kingdome and divers other Monarchies are not in that case, but had their beginning in a farre contrary fashion.

For as our Chronicles beare witnesse, this Ile, and especially our part of it, being scantily inhabited, but by very few, and they as barbarous and scant of civilitie, as number, there comes our first King *Fergus*, with a great number with him, out of *Ireland*, which was long inhabited before us, and making himself master of the countrey, by his owne friendship, and force, as well of the *Irelandmen* that came with him, as of the countrey-men that willingly fell to him, hee made himselfe King and Lord, as well of the whole landes, as of the whole inhabitants within the same. Thereafter he and his successours, a long while after their being Kinges, made and established their lawes from time to time, and as the occasion required. So the trewth is directly contrarie in our state to the false affirmation of such seditious writers, as would perswade us, that the Lawes and state of our countrey were established before the admitting of a king: where by the countrarie ye see it plainly proved, that a wise king comming in among barbares, first established the estate and forme of government, and thereafter made lawes by himselfe, and his successours according thereto.

The kings therefore in *Scotland* were before any estates or rankes of men within the same, before any Parliaments were holden, or lawes made: and by them was the land distributed (which at the first was whole theirs) states erected and decerned, [decreed] and formes of government devised and established: And so it followes of necessitie, that the kings were the authors and makers of the Lawes, and not the Lawes of the kings. And to proove

¹ [*Prayers and tears are the weapons of the Church.*]

this my assertion more clearly, it is evident by the rolles of our Chancellery (which containe our eldest and fundamentall Lawes) that the King is *Dominus omnium bonorum*,² and *Dominus directus totius Domini*,³ the whole subjects being but his vassals, and from him holding all their lands as their over-lord, who according to good services done unto him, chaungeth their holdings from tacks to fees, from ward to blanch,⁴ erecteth new Baronies, and uniteth olde, without advice or authoritie of either Parliament or any other subalterin iudiciall seate; So as if wrong might bee admitted in play (albeit I grant wrong should be wrong in all persons) the King might have a better colour for his pleasure, without further reason, to take the land from his lieges, as overlord of the whole, and doe with it as pleaseth him, since all that they hold is of him, then, as foolish writers say, the people might unmake the king, and put an other in his roome: But either of them as unlawful, and against the ordinance of God, ought to be alike odious to be thought, much lesse put in practise.

And according to these fundamentall Lawes already alledged, we daily see that in the Parliament (which is nothing else but the head Court of the king and his vassals) the lawes are but craved by his subjects, and onely made by him at their rogation, [supplication] and with their advice: For albeit the king make daily statutes and ordinances, enjoyning such paines thereto as hee thinkes meet, without any advice of Parliament or estates; yet it lies in the power of no Parliament, to make any kinde of Lawe or Statute, without his Scepter be to it, for giving it the force of a Law: And although divers changes have beene in other countries of the blood Royall, and kingly house, the kingdome being reft by conquest from one to another, as in our neighbour countrey in *England*, (which was never in ours) yet the same ground of the kings right over all the land, and subjects thereof remaineth alike in all other free Monarchies, as well as in this: For when the Bastard of *Normandie* came into *England*, and made himselfe king, was it not by force, and with a mighty army? Where he gave the Law, and tooke none, changed the Lawes, inverted the order of government, set downe the strangers his followers in many of the old possessours roomes, as at this day well appeareth a great part of the Gentlemen in *England*, beeing come of the *Norman* blood, and their old Lawes, which to this day they are ruled by, are written in his language, and not in theirs: And yet his successours have with great happinesse enjoyed the Crowne to this day; Whereof the like was also done by all them that conquered them before.

And for conclusion of this point, that the king is over-lord over the whole lands, it is likewise daily proved by the Law of our hoordes, of want of Heires,

² [Lord of all goods.]

³ [Immediate Lord of the whole realm.]

⁴ [Kinds of land tenure.]

and of Bastardies: For if a hoord be found under the earth, because it is no more in the keeping or use of any person, it of the law pertains to the king. If a person, inheritour of any lands or goods, dye without any sort of heires, all his lands and goods returne to the king. And if a bastard die unrehabled without heires of his bodie (which rehabling onely lyes in the kings hands) all that hee hath likewise returnes to the king. And as ye see it manifest, that the King is over-Lord of the whole land: so is he Master over every person that inhabiteth the same, having power over the life and death of every one of them: For although a just Prince will not take the life of any of his subjects without a cleare law; yet the same lawes whereby he taketh them, are made by himselfe, or his predecessours; and so the power flowes alwaies from him selfe; as by daily experience we see, good and just Princes will from time to time make new lawes and statutes, adjoyning the penalties to the breakers thereof, which before the law was made, had beene no crime to the subject to have committed. Not that I deny the old definition of a King, and of a law; which makes the king to bee a speaking law, and the Law a dumbe king: for certainly a king that governe not by his lawe, can neither be countable to God for his administration, nor have a happy and established raigne: For albeit it be trew that I have at length prooved, that the King is above the law, as both the author and giver of strength thereto; yet a good king will not onely delight to rule his subjects by the lawe, but even will conforme himselfe in his owne actions thereunto, alwaies keeping that ground, that the health of the common-wealth be his chiefe lawe: And where he sees the lawe doubtsome or rigorous, hee may interpret or mitigate the same, lest otherwise *Summum ius* bee *summa iniuria*:⁵ And therefore generall lawes, made publicly in Parliament, may upon known respects to the King by his authoritie bee mitigated, and suspended upon causes onely known to him.

As likewise, although I have said, a good king will frame all his actions to be according to the Law; yet is hee not bound thereto but of his good will, and for good example-giving to his subjects: For as in the law of abstaining from eating of flesh in *Lenton*, the king will, for examples sake, make his owne house to observe the Law; yet no man will thinke he needs to take a licence to eate flesh. And although by our Lawes, the bearing and wearing of hag-buts, and pistolets be forbidden, yet no man can find any fault in the King, for causing his traine to use them in any raide upon the Borderers, or other malefactours or rebellious subjects. So as I have already said, a good King, although hee be above the Law, will subject and frame his actions thereto, for examples sake to his subjects, and of his owne free-will, but not as subject or bound thereto.

⁵ [Lest otherwise *supreme right* be *supreme injury*.]

Since I have so clearly proved then out of the fundamentall lawes and practise of this country, what right & power a king hath over his land and subjects, it is easie to be understood, what alleageance & obedience his lieges owe unto him; I meane alwaies of such free Monarchies as our king is, and not of elective kings, and much lesse of such sort of governors, as the dukes of *Venice* are, whose Aristocratick and limited government, is nothing like to free Monarchies; although the malice of some writers hath not beene ashamed to mis-know any difference to be betwixt them. And if it be not lawfull to any particular Lordes tenants or vassals, upon whatsoever pretext, to controll and displace their Master, and overlord (as is clearer nor the Sunne by all Lawes of the world) how much lesse may the subjects and vassals of the great over-lord the KING controll or displace him? And since in all inferiour judgements in the land, the people may not upon any respects displace their Magistrates, although but subaltern: for the people of a borough, cannot displace their Provost before the time of their election: nor in Ecclesiasticall policie the flocke can upon any pretence displace the Pastor, nor judge of him: yea even the poore Schoolemaster cannot be displaced by his schollers: If these, I say (whereof some are but inferiour, subaltern, and temporall Magistrates, and none of them equall in any sort to the dignitie of a King) cannot be displaced for any occasion or pretext by them that are ruled by them: how much lesse is it lawfull upon any pretext to controll or displace the great Provost, and great Schoole-master of the whole land: except by inverting the order of all Law and reason, the commanded may be made to command their commander, the judged to judge their Judge, and they that are governed, to governe their time about their Lord and governour.

And the agreement of the Law of nature in this our ground with the Lawes and constitutions of God, and man, already alledged, will by two similitudes easily appeare. The King towards his people is rightly compared to a father of children, and to a head of a body composed of divers members: For as fathers, the good Princes, and Magistrates of the people of God acknowledged themselves to their subjects. And for all other well ruled Common-wealths, the stile of *Pater patriae*^a was ever, and is commonly used to Kings. And the proper office of a King towards his Subjects, agrees very wel with the office of the head towards the body, and all members thereof; For from the head, being the seate of Judgement proceedeth the care and foresight of guiding, and preventing all evill that may come to the body or any part thereof. The head cares for the body, so doeth the King for his people. As the discourse and direction flowes from the head, and the execution according thereunto belongs to the rest of the members, every one according to their office: so it is betwixt a wise Prince, and his people. As the judgement comming from the

^a [*Father of his country.*]

head may not onely imploy the members, every one in their owne office, as long as they are able for it; but likewise in case any of them be affected with any infirmitie must care and provide for their remedy, incase it be curable, and if otherwise, gar [completely] cut them off for feare of infecting of the rest: even so is it betwixt the Prince, and his people. And as there is ever hope of curing any diseased member by the direction of the head, as long as it is whole; but by the contrary, if it be troubled, all the members are partakers of that paine, so is it betwixt the Prince and his people.

And now first for the fathers part (whose naturall love to his children I described in the first part of this my discourse, speaking of the dutie that Kings owe to their Subjects) consider, I pray you what dutie his children owe to him & whether upon any pretext whatsoever, it will not be thought monstrous and unnaturall to his sons, to rise up against him, to control him at their appetite, and when they thinke good to sley him or to cut him off, and adopt to themselves any other they please in his roome: Or can any pretence of wickednes or rigor on his part be a just excuse for his children to put hand into him? And although wee see by the course of nature, that love useth to descend more then to ascend, in case it were trew, that the father hated and wronged the children never so much, will any man, endued with the least sponke of reason, thinke it lawfull for them to meet him with the line? Yea, suppose the father were furiously following his sonnes with a drawen sword, is it lawfull for them to turne and strike againe, or make any resistance but by flight? I thinke surely, if there were no more but the example of bruit beasts & unreasonable creatures, it may serve well enough to qualifie and prove this my argument. We reade often the pietie that the Storkes have to their olde and decayed parents: And generally wee know, that there are many sorts of beasts and fowles, that with violence and many bloody strokes will beat and banish their yong ones from them, how soone they perceive them to be able to fend themselves; but wee never read or heard of any resistance on their part, except among the vipers; which proves such persons, as ought to be reasonable creatures, and yet unnaturally follow this example, to be endued with their viperous nature.

And for the similitude of the head and the body, it may very well fall out that the head will be forced to garre cut off some rotten members (as I have already said) to keep the rest of the body in integritie: but what state the body can be in, if the head, for any infirmitie that can fall to it, be cut off, I leave it to the readers judgement.

So as (to conclude this part) if the children may upon any pretext that can be imagined, lawfully rise up against their Father, cut him off, & choose any other whom they please in his roome; and if the body for the weale of it, may

for any infirmitie that can be in the head, strike it off, then I cannot deny that the people may rebell, controll, and displace, or cut off their king at their owne pleasure, and upon respects mooving them. And whether these similitudes represent better the office of a King, or the offices of Masters or Deacons of crafts, or Doctors in Physicke (which jolly comparisons are used by such writers as maintaine the contrary proposition) I leave it also to the readers discretion.

And in case any doubts might arise in any part of this treatise, I will (according to my promise) with the solution of foure principall and most weightie doubts, that the adversaries may object, conclude this discourse. And first it is casten up by divers, that employ their pennes upon Apologies for rebellions and treasons, that every man is borne to carry such a naturall zeale and duety to his common-wealth, as to his mother; that seeing it so rent and deadly wounded, as whiles it will be by wicked and tyrannous Kings, good Citizens will be forced, for the naturall zeale and duety they owe to their owne native countrey, to put their hand to worke for freeing their common-wealth from such a pest.

Whereunto I give two answeres: First, it is a sure Axiome in *Theologie*; that evill shoud not be done, that good may come of it: The wickednesse therefore of the King can never make them that are ordained to be judged by him, to become his Judges. And if it be not lawfull to a private man to revenge his private injury upon his private adversary (since God hath onely given the sword to the Magistrate) how much lesse is it lawfull to the people, or any part of them (who all are but private men, the authoritie being alwayes with the Magistrate, as I have already proved) to take upon them the use of the sword, whom to it belongs not, against the publicke Magistrate, whom to onely it belongeth.

Next, in place of relieving the common-wealth out of distresse (which is their onely excuse and colour) they shall heape double distresse and desolation upon it; and so their rebellion shall procure the contrary effects that they pretend it for: For a king cannot be imagined to be so unruly and tyrannous, but the common-wealth will be kept in better order, notwithstanding thereof, by him, then it can be by his way-taking. For first, all sudden mutations are perillous in common-wealths, hope being thereby given to all bare men to set up themselves, and flie with other mens feathers, the reines being loosed to all the insolencies that disordered people can commit by hope of impunitie, because of the loosenesse of all things.

And next, it is certaine that a king can never be so monstrously vicious, but hee will generally favour justice, and maintaine some order, except in the particulars, wherein his inordinate lustes and passions carry him away; where

by the contrary, no King being, nothing is unlawfull to none: And so the olde opinion of the Philosophers prooves trew, That better it is to live in a Common-wealth, where nothing is lawfull, then where all things are lawfull to all men; the Common-wealth at that time resembling an undanted [untamed] young horse that hath casten his rider: For as the divine Poet Du BARTAS sayth, *Better it were to suffer some disorder in the estate, and some spots in the Common-wealth, then in pretending to reforme, utterly to overthrow the Republicke.*

The second objection they ground upon the curse that hangs over the common-wealth, where a wicked king reigneth: and, say they, there cannot be a more acceptable deed in the sight of God, nor more dutiful to their common-weale, then to free the countrey of such a curse, and vindicate to them their libertie, which is naturall to all creatures to crave.

Whereunto for answer, I grant indeed, that a wicked king is sent by God for a curse to his people, and a plague for their sinnes: but that it is lawfull to them to shake off that curse at their owne hand, which God hath laid on them, that I deny, and may so do justly. Will any deny that the king of *Babel* was a curse to the people of God, as was plainly forespoken and threatened unto them in the prophetic of their captivtie? And what was *Nero* to the Christian Church in his time? And yet *Jeremy* and *Paul* (as yee have else heard) commanded them not onely to obey them, but heartily to pray for their welfare.

It is certaine then (as I have already by the Law of God sufficiently proved) that patience, earnest prayers to God, and amendment of their lives, are the onely lawful means to move God to relieve them of that heavie curse. As for vindicating to themselves their owne libertie, what lawfull power have they to revoke to themselves againe those priviledges, which by their owne consent before were so fully put out of their hands? For if a Prince cannot justly bring backe againe to himself the priviledges once bestowed by him or his predecessors upon any state or ranke of his subjects; how much lesse may the subjects reave out of the princes hand that superioritie, which he and his Predecessors have so long brooked over them?

But the unhappy iniquitie of the time, which hath oft times given over good successe to their treasonable attempts, furnisheth them the ground of their third objection: For, say they, the fortunate successe that God hath so oft given to such enterprises, prooveth plainly by the practise, that God favoured the justnesse of their quarrell.

To the which I answer, that it is trew indeed, that all the successe of batels, as well as other wor[l]dly things, lyeth onely in Gods hand: And therefore it is that in the Scripture he takes to himselfe the style of God of Hosts. But

upon that generall to conclude, that hee ever gives victory to the just quarrell, would proove the *Philistims*, and divers other neighbour enemies of the people of God to have oft times had the just quarrel against the people of God, in respect of the many victories they obtained against them. And by that same argument they had also just quarrell against the Arke of God: For they wan it in the field, and kept it long prisoner in their countrey. As likewise by all good Writers, as well Theologues, as other, Duels and singular combats are disallowed; which are onely made upon pretence, that God will kith [show] thereby the justice of the quarrel: For wee must consider that the innocent partie is not innocent before God: And therefore God will make oft times them that have the wrong side revenge justly his quarrell; and when he hath done, cast his scourge in the fire, as he oft times did to his owne people, stirring up and strengthening their enemies, while they were humbled in his sight, and then delivered them in their hands. So God, as the great Judge may justly punish his Deputie, and for his rebellion against him stir up his rebels to meet him with the like: And when it is done, the part of the instrument is no better than the divels part is in tempting and torturing such as God committeth to him as his hangman to doe: Therefore, as I said in the beginning, it is oft times a very deceivable argument, to judge of the cause by the event.

And the last objection is grounded upon the mutuall paction and adstipulation (as they call it) betwixt the King and his people, at the time of his coronation: For there, say they, there is a mutuall paction, and contract bound up, and sworne betwixt the king, and the people: Whereupon it followeth, that if the one part of the contract or the Indent bee broken upon the Kings side, the people are no longer bound to keep their part of it, but are thereby freed of their oath: For (say they) a contract betwixt two parties, of all Law frees the one partie, if the other breake unto him.

As to this contract alledged made at the coronation of a King, although I deny any such contract to bee made then, especially containing such a clause irritant as they alledge; yet I confesse, that a king at his coronation, or at the entry to his kingdome, willingly promiseth to his people, to discharge honorably and trewly the office given him by God over them: But presuming that thereafter he breaks his promise unto them never so inexcusable; the question is, who should bee judge of the breake, giving unto them, this contract were made unto them never so sicker, according to their alleageance. I thinke no man that hath but the smallest entrance into the civill Law, will doubt that of all Law, either civil or municipal of any nation, a contract cannot be thought broken by the one partie, and so the other likewise to be freed therefro, except that first a lawfull triall and cognition be had by the ordinary Judge of the

breakers thereof: Or else every man may be both party and Judge in his owne cause; which is absurd once to be thought. Now in this contract (I say) betwixt the king and his people, God is doubtles the only Judge, both because to him onely the king must make count of his administration (as is oft said before) as likewise by the oath in the coronation. God is made judge and revenger of the breakers: For in his presence, as only judge of oaths, all oaths ought to be made. Then since God is the onely Judge betwixt the two parties contractors, the cognition and revenge must onely appertaine to him: It folowes therefore of necessitie, that God must first give sentence upon the King that breaketh, before the people can thinke themselves freed of their oath. What justice then is it, that the partie shall be both judge and partie, usurping upon himselfe the office of God, may by this argument easily appeare: And shall it lie in the hands of headlesse multitude, when they please to weary off subjection, to cast off the yoke of government that God hath laid upon them, to judge and punish him, whomby they should be judged and punished, and in that case, wherein by their violence they kythe [show] themselves to be most passionate parties, to use the office of an ungracious Judge or Arbitrator? Nay, to speak trewly of that case, as it stands betwixt the king and his people, none of them ought to judge of the others break: For considering rightly the two parties at the time of their mutuall promise, the king is the one party, and the whole people in one body are the other party. And therefore since it is certaine, that a king, in case so it should fal out, that his people in one body had rebelled against him, hee should not in that case, as thinking himselfe free of his promise and oath, become an utter enemy, and practise the wreake of his whole people and native country: although he ought justly to punish the principall authors and bellowes of that universall rebellion: how much lesse then ought the people (that are alwaies subject unto him, and naked of all authoritie on their part) presse to judge and over-throw him? otherwise the people, as the one partie contractors, shall no sooner challenge the king as breaker, but hee assoone shall judge them as breakers: so as the victors making the tyners the traitors (as our proverbe is) the partie shall aye become both judge and partie in his owne particular, as I have alreadie said.

And it is here likewise to be noted, that the duty and allegiance, which the people sweareth to their prince, is not only bound to themselves, but likewise to their lawfull heires and posterity, the lineall succession of crowns being begun among the people of God, and happily continued in divers christian common-wealths: So as no objection either of heresie, or whatsoever private statute or law may free the people from their oath-giving to their king, and his succession, established by the old fundamentall lawes of the kingdome: For, as hee is there heritable over-lord, and so by birth, not by any right in

the coronation, commeth to his crowne; it is a like unlawful (the crowne ever standing full) to displace him that succeedeth thereto, as to eject the former: For at the very moment of the expiring of the king reigning, the nearest and lawful heire entreteth in his place: And so to refuse him or intrude another, is not to holde out uncomming in, but to expell and put out their righteous King. And I trust at this time whole *France* acknowledgeth the superstitious rebellion of the liguers, who upon pretence of heresie, by force of armes held so long out, to the great desolation of their whole countrey, their native and righteous king from possessing of his owne crowne and naturall kingdome.

Not that by all this former discourse of mine, and Apologie for kings, I meane that whatsoever errors and intollerable abominations a soveraigne prince commit, hee ought to escape all punishment, as if thereby the world were only ordained for kings, & they without controlment to turne it upside down at their pleasure: but by the contrary, by remitting them to God (who is their onely ordinary Judge) I remit them to the sorest and sharpest schoolemaster that can be devised for them: for the further a king is preferred by God above all other ranks & degrees of men, and the higher that his seat is above theirs, the greater is his obligation to his maker. And therefore in case he forget himselfe (his unthankfulnes being in the same measure of height) the sadder and sharper will his correction be; and according to the greatnes of the height he is in, the weight of his fall wil recompense the same: for the further that any person is obliged to God, his offence becomes and growes so much the greater, then it would be in any other. *Joves* thunderclaps light oftner and sorer upon the high & stately oakes, then on the low and supple willow trees: and the highest bench is sliddriest [most slippery] to sit upon. Neither is it ever heard that any king forgets himselfe towards God, or in his vocation; but God with the greatness of the plague revengeth the greatness of his ingratitude: Neither thinke I by the force and argument of this my discourse so to perswade the people, that none will hereafter be raised up, and rebell against wicked Princes. But remitting to the justice and providence of God to stirre up such scourges as pleaseth him, for punishment of wicked kings (who made the very vermine and filthy dust of the earth to bridle the insolencie of proud *Pharaoh*) my onely purpose and intention in this treatise is to perswade, as farre as lieth in me, by these sure and infallible grounds, all such good Christian readers, as beare not onely the naked name of a Christian, but kith the fruites thereof in their daily forme of life, to keep their hearts and hands free from such monstrous and unnaturall rebellions, whensoever the wickednesse of a Prince shall procure the same at Gods hands: that, when it shall please God to cast scourges of princes, and instruments of his fury in the fire, ye may stand up with cleane handes, and unspotted consciences, having proved

your selves in all your actions trew Christians toward God, and dutifull subjects towards your King, having remitted the judgement and punishment of all his wrongs to him, whom to onely of right it appertaineth.

But craving at God, and hoping that God shall continue his blessing with us, in not sending such fearefull desolation, I heartily wish our kings behaviour so to be, and continue among us, as our God in earth, and loving Father, endued with such properties as I described a King in the first part of this Treatise. And that ye (my deare countrey men, and charitable readers) may presse by all means to procure the prosperitie and welfare of our King; that as hee must on the one part thinke all his earthly felicitie and happinesse grounded upon your weale, caring more for himselfe, for your sake then for his owne, thinking himself onely ordained for your weale; such holy and happy emulation may arise betwixt him and you, as his care for your quietnes, and your care for his honour and preservation, may in all your actions daily strive together, that the Land may thinke themselves blessed with such a King, and the king may thinke himselfe most happy in ruling over so loving and obedient subjects.

“AN AGREEMENT OF THE PEOPLE” AND DEBATES IN CROMWELL’S ARMY COUNCIL

THE PURITAN REVOLUTION produced in 1653 the first written constitution of modern times—the “Instrument of Government.” The forerunner of this document was the more radical *Agreement of the People*, which had been drawn up by the group of Independents known as the Levellers, led by John Lilburne (1614?–57) and Richard Overton (fl. 1646) and devoted to the ideal of constitutional government. Leveller agitation reached its peak in 1647.

What was remarkable about the Levellers was that in the seventeenth century they developed a political program which continued to be radical until (at least) the latter part of the nineteenth century. The Levellers were the Jacobins of the Puritan Revolution, representing the small property owners, the farmers, tradesmen, and artisans. Their leaders were recruited from the rank and file of Cromwell’s army. As representatives of soldier committees formed to move Cromwell from what they considered a temporizing policy with regard to both king and Parliament, they found occasion to voice their protest and to gain some share in the formulation of policy.

Such men as Lilburne and Overton were “Levellers” in their desire to break down encrusted legal and political privilege and to establish equality of rights, especially for the lower-middle class. As spokesmen for this class, the individualism of the Levellers was inescapable; they based their claims for equality on the inalienable rights with which every individual is born and on the principle that a just government functions only with the consent of those governed. In addition, the Levellers favored the separation of church and state. It was the Levellers’ version of “natural rights” which John Locke was to make an integral part of political liberalism.

The views of the Levellers were developed in their discussions and controversies in the Army Council with their superior officers, men such as Cromwell and his son-in-law Ireton (1611–51) who were members of the landed gentry and revolutionaries of a more moderate stamp. The divergent points of view represented by Lilburne on the one hand and Cromwell on the other exemplify the conflicting strains that have persistently marked the history of liberalism. Where Cromwell’s faction favored representation in proportion to taxes paid, the Levellers gave intimation of the later slogan of the utilitarians—“one vote, one value”—by demanding representation proportionate to population. Furthermore, the Levellers would have Parliament exercise its authority through an explicit grant or commission from the sovereign people.

Such radical proposals went beyond the traditional practice of the British and shocked the upholders of the supreme power of Parliament. It was natural that, when it came down to principles, the discussion between the Levellers and the moderates should turn about the relation between “natural” and “civil” rights. Ireton, for example, insisted that the right to vote was granted to an individual

largely by the law and by virtue of his participation as a citizen, and he was irked by the appeal to an abstract natural right. The Levellers, on the other hand, could not make their peace with an unjust law, and while they were ready to admit—when it was expedient—that the rights for which they were struggling were peculiarly those of Englishmen, they maintained that they were "birthrights" which no society and no law might disregard. The controversy was never settled in the terms in which it was argued. Circumlocutions of the issue between natural and civil rights (such as the "birthrights of Englishmen") persisted. The final form of *An Agreement of the People* conceded to the people's Representative "the highest and final judgment concerning all natural or civil things." It was Cromwell's direct coercion, rather than philosophic discussion, which ended the effective career of these seventeenth-century advocates of popular government as the basis for the radically democratic program of the lower-middle class.

In the debates from which selections follow, invited civilians are present in support of the Levellers. The debates are concerned with *An Agreement of the People*, which embodied the Levellers' postrevolutionary proposals. Selections from the text of this agreement (drawn up principally by Lilburne) precede the passages from the debates and are taken from A. S. P. Woodhouse, *Puritanism and Liberty* (London, J. M. Dent and Sons, 1938). The debates, which have been preserved almost verbatim, are selected from *The Clarke Papers* (ed. by C. H. Firth; 4 vols., Camden Society Publications, 1891-1901).



AN AGREEMENT OF THE PEOPLE¹

. . . IN ORDER whereunto we declare:

I. That the people of England, being at this day very unequally distributed by counties, cities, and boroughs, for the election of their deputies in Parliament, ought to be more indifferently proportioned, according to the number of the inhabitants; the circumstances whereof, for number, place, and manner, are to be set down before the end of this present Parliament.

II. That to prevent the many inconveniences apparently arising from the long continuance of the same persons in authority, this present Parliament be dissolved upon the last day of September, which shall be in the year of our Lord 1648.

III. That the people do of course choose themselves a Parliament once in two years, *viz.*, upon the first Thursday in every second March, after the manner as shall be prescribed before the end of this Parliament, to begin to sit upon the first Thursday in April following, at Westminster (or such other place as shall be appointed from time to time by the preceding Representa-

¹ [Printed on November 3, 1647.]

tives), and to continue till the last day of September then next ensuing, and no longer.

IV. That the power of this, and all future Representatives of this nation is inferior only to theirs who choose them, and doth extend, without the consent or concurrence of any other person or persons, to the enacting, altering, and repealing of laws; to the erecting and abolishing of offices and courts; to the appointing, removing, and calling to account magistrates and officers of all degrees; to the making war and peace; to the treating with foreign states; and generally to whatsoever is not expressly or impliedly reserved by the represented to themselves.

Which are as followeth:

1. That matters of religion, and the ways of God's worship, are not at all entrusted by us to any human power, because therein we cannot remit or exceed a tittle of what our consciences dictate to be the mind of God, without wilful sin; nevertheless the public way of instructing the nation (so it be not compulsive) is referred to their discretion.

2. That the matter of impressing and constraining any of us to serve in the wars is against our freedom, and therefore we do not allow it in our representatives; the rather because money (the sinews of war) being always at their disposal, they can never want numbers of men apt enough to engage in any just cause.

3. That after the dissolution of this present Parliament, no person be at any time questioned for anything said or done in reference to the late public differences, otherwise than in execution of the judgments of the present representatives, or House of Commons.

4. That in all laws made, or to be made, every person may be bound alike, and that no tenure, estate, charter, degree, birth, or place, do confer any exemption from the ordinary course of legal proceedings, whereunto others are subjected.

5. That as the laws ought to be equal, so they must be good, and not evidently destructive to the safety and well-being of the people.

These things we declare to be our native rights, and therefore are agreed and resolved to maintain them with our utmost possibilities against all opposition whatsoever, being compelled thereunto not only by the examples of our ancestors, whose blood was often spent in vain for the recovery of their freedoms, suffering themselves, through fraudulent accommodations, to be still deluded of the fruit of their victories, but also by our own woeful experience, who, having long expected, and dearly earned, the establishment of these certain rules of government, are yet made to depend for the settlement of our

peace and freedom upon him that intended our bondage and brought a cruel war upon us.

THE DEBATES

DEBATE OF OCTOBER 29, 1647

Major Rainborough: I desire we may come to that end we all strive after. I humbly desire you will fall upon that which is the engagement of all, which is the rights and freedoms of the people, and let us see how far we have made sure to them a right and freedom, and if anything be tendered as to that [in this paper]. And when that engagement is gone through, then, let us consider of those [things only] that are of greater weight.

(The paper called the Agreement read. Then the first article read by itself.)

Ireton: The exception that lies in it is this. It is said, they are to be distributed according to the number of the inhabitants: "The people of England," &c. And this doth make me think that the meaning is, that every man that is an inhabitant is to be equally considered, and to have an equal voice in the election of those representatives, the persons that are for the general Representative; and if that be the meaning, then I have something to say against it. But if it be only that those people that by the civil constitution of this kingdom, which is original and fundamental, and beyond which I am sure no memory of record does go—

[Cowling, interrupting]: Not before the Conquest.

[Ireton]: But before the Conquest it was so. If it be intended that those that by that constitution that was before the Conquest, that hath been beyond memory, such persons that have been before [by] that constitution [the electors], should be [still] the electors, I have no more to say against it.

Colonel Rainborough objected: That others might have given their hands to it.

Captain Denne denied that those that were set of their regiment were their hands.

Ireton [asked]: Whether those men whose hands are to it, or those that brought it, do know so much of the matter as [to know] whether they mean that all that had a former right of election [are to be electors], or [that] those that had no right before are to come in.

Cowling: In the time before the Conquest. Since the Conquest the greatest part of the kingdom was in vassalage.

Petty: We judge that all inhabitants that have not lost their birthright should have an equal voice in elections.

Rainborough: I desired that those that had engaged in it [might be included]. For really I think that the poorest he that is in England hath a life to live, as the greatest he; and therefore truly, sir, I think it's clear, that every man that is to live under a government ought first by his own consent to put himself under that government; and I do think that the poorest man in England is not at all bound in a strict sense to that government that he hath not had a voice to put himself under; and I am confident that, when I have heard the reasons against it, something will be said to answer those reasons, insomuch that I should doubt whether he was an Englishman or no, that should doubt of these things.

Ireton: That's [the meaning of] this, ["according to the number of the inhabitants"]?

Give me leave to tell you, that if you make this the rule I think you must fly for refuge to an absolute natural right, and you must deny all civil right; and I am sure it will come to that in the consequence. This, I perceive, is pressed as that which is so essential and due: the right of the people of this kingdom, and as they are the people of this kingdom, distinct and divided from other people, and that we must for this right lay aside all other considerations; this is so just, this is so due, this is so right to them. And that those that they do thus choose must have such a power of binding all, and loosing all, according to those limitations, this is pressed as so due, and so just, as [it] is argued, that it is an engagement paramount [to] all others: and you must for it lay aside all others; if you have engaged any otherwise, you must break it. [We must] so look upon these as thus held out to us; so it was held out by the gentleman that brought it yesterday. For my part, I think it is no right at all. I think that no person hath a right to an interest or share in the disposing of the affairs of the kingdom, and in determining or choosing those that shall determine what laws we shall be ruled by here—no person hath a right to this, that hath not a permanent fixed interest in this kingdom, and those persons together are properly the represented of this kingdom, and consequently are [also] to make up the representers of this kingdom, who taken together do comprehend whatsoever is of real or permanent interest in the kingdom. And I am sure otherwise I cannot tell what any man can say why a foreigner coming in amongst us—or as many as will coming in amongst us, or by force or otherwise settling themselves here, or at least by our permission having a being here—why they should not as well lay claim to it as any other. We talk of birthright. Truly [by] birthright there is thus much claim. Men may justly have by birthright, by their very being born in England, that we should not seclude them out of England, that we should not refuse to give them air and place and ground, and the freedom of the highways and other

things, to live amongst us—not any man that is born here, though by his birth there come nothing at all (that is part of the permanent interest of this kingdom) to him. That I think is due to a man by birth. But that by a man's being born here he shall have a share in that power that shall dispose of the lands here, and of all things here, I do not think it a sufficient ground. I am sure if we look upon that which is the utmost (within [any] man's view) of what was originally the constitution of this kingdom, upon that which is most radical and fundamental, and which if you take away, there is no man hath any land, any goods, [or] any civil interest, that is this: that those that choose the representers for the making of laws by which this state and kingdom are to be governed, are the persons who, taken together, do comprehend the local interest of this kingdom; that is, the persons in whom all land lies, and those in corporations in whom all trading lies. This is the most fundamental constitution of this kingdom and [that] which if you do not allow, you allow none at all. This constitution hath limited and determined it that only those shall have voices in elections. It is true, as was said by a gentleman near me, the meanest man in England ought to have [a voice in the election of the government he lives under—but only if he has some local interest]. I say this: that those that have the meanest local interest—that man that hath but forty shillings a year, he *hath* as great voice in the election of a knight for the shire as he that hath ten thousand a year, or more if he had never so much; and therefore there is that regard had to it. But this [local interest], still the constitution of this government hath had an eye to (and what other government hath not an eye to this?). It doth not relate to the interest of the kingdom if it do not lay the foundation of the power that's given to the representers, in those who have a permanent and a local interest in the kingdom, and who taken all together do comprehend the whole [interest of the kingdom]. There is all the reason and justice that can be, [in this]: if I will come to live in a kingdom, being a foreigner to it, or live in a kingdom, having no permanent interest in it, [and] if I will desire as a stranger, or claim as one freeborn here, the air, the free passage of highways, the protection of laws, and all such things—if I will either desire them or claim them, [then] I (if I have no permanent interest in that kingdom) must submit to those laws and those rules [which they shall choose], who, taken together, do comprehend the whole interest of the kingdom. And if we shall go to take away this, we shall plainly go to take away all property and interest that any man hath either in land by inheritance, or in estate by possession, or anything else—[I say], if you take away this fundamental part of the civil constitution.

Rainborough: Truly, sir, I am of the same opinion I was, and am resolved to keep it till I know reason why I should not. I confess my memory is bad, and

therefore I am fain to make use of my pen. I remember that, in a former speech [which] this gentleman brought before this [meeting], he was saying that in some cases he should not value whether [there were] a king or no king, whether lords or no lords, whether a property or no property. For my part I differ in that. I do very much care whether [there be] a king or no king, lords or no lords, property or no property; and I think, if we do not all take care, we shall all have none of these very shortly. But as to this present business. I do hear nothing at all that can convince me, why any man that is born in England ought not to have his voice in election of burgesses. It is said that if a man have not a permanent interest, he can have no claim; and [that] we must be no freer than the laws will let us be, and that there is no [law in any] chronicle will let us be freer than that we [now] enjoy. Something was said to this yesterday. I do think that the main cause why Almighty God gave men reason, it was that they should make use of that reason, and that they should improve it for that end and purpose that God gave it them. And truly, I think that half a loaf is better than none if a man be anhungry: [this gift of reason without other property may seem a small thing], yet I think there is nothing that God hath given a man that any [one] else can take from him. And therefore I say, that either it must be the Law of God or the law of man that must prohibit the meanest man in the kingdom to have this benefit as well as the greatest. I do not find anything in the Law of God, that a lord shall choose twenty burgesses, and a gentleman but two, or a poor man shall choose none: I find no such thing in the Law of Nature, nor in the Law of Nations. But I do find that all Englishmen must be subject to English laws, and I do verily believe that there is no man but will say that the foundation of all laws lies in the people, and if [it lie] in the people, I am to seek for this exemption.

And truly I have thought something [else]: in what a miserable distressed condition would many a man that hath fought for the Parliament in this quarrel, be! I will be bound to say that many a man whose zeal and affection to God and this kingdom hath carried him forth in this cause, hath so spent his estate that, in the way the state [and] the Army are going, he shall not hold up his head, if when his estate is lost, and not worth forty shillings a year, a man shall not have any interest. And there are many other ways by which [the] estates men have (if that be the rule which God in his providence does use) do fall to decay. A man, when he hath an estate, hath an interest in making laws, [but] when he hath none, he hath no power in it; so that a man cannot lose that which he hath for maintenance of his family but he must [also] lose that which God and nature hath given him! And therefore I do [think], and am still of the same opinion, that every man born in England

cannot, ought not, neither by the Law of God nor the Law of Nature, to be exempted from the choice of those who are to make laws for him to live under, and for him, for aught I know, to lose his life under. And therefore I think there can be no great stick in this.

Truly I think that there is not this day reigning in England a greater fruit or effect of tyranny than this very thing would produce. Truly I know nothing free but only the knight of the shire, nor do I know anything in a parliamentary way that is clear from the height and fulness of tyranny, but only [that]. As for this of corporations [which you also mentioned], it is as contrary to freedom as may be. For, sir, what is it? The King he grants a patent under the Broad Seal of England to such a corporation to send burgesses, he grants to [such] a city to send burgesses. When a poor base corporation from the King[’s grant] shall send two burgesses, when five hundred men of estate shall not send one, when those that are to make their laws are called by the King, or cannot act [but] by such a call, truly I think that the people of England have little freedom.

Ireton: I think there was nothing that I said to give you occasion to think that I did contend for this, that such a corporation [as that] should have the electing of a man to the Parliament: I think I agreed to this matter, that all should be equally distributed. But the question is, whether it should be distributed to all persons, or whether the same persons that are the electors [now] should be the electors still, and it [be] equally distributed amongst *them*. I do not see anybody else that makes this objection; and if nobody else be sensible of it I shall soon have done. Only I shall a little crave your leave to represent the consequences of it, and clear myself from one thing that was misrepresented by the gentleman that sat next me. I think, if the gentleman remember himself, he cannot but remember that what I said was to this effect: that if I saw the hand of God leading so far as to destroy King, and destroy Lords, and destroy property, and [leave] no such thing at all amongst us, I should acquiesce in it; and so I did not care, if no king, no lords, or no property [should] be, in comparison of the tender care that I have of the honour of God, and of the people of God, whose [good] name is so much concerned in this Army. This I did deliver [so], and not absolutely.

All the main thing that I speak for, is because I would have an eye to property. I hope we do not come to contend for victory—but let every man consider with himself that he do not go that way to take away all property. For here is the case of the most fundamental part of the constitution of the kingdom, which if you take away, you take away all by that. Here men of this and this quality are determined to be the electors of men to the Parliament, and they are all those who have any permanent interest in the kingdom,

and who, taken together, do comprehend the whole [permanent, local] interest of the kingdom. I mean by permanent [and] local, that [it] is not [able to be removed] anywhere else. As for instance, he that hath a freehold, and that freehold cannot be removed out of the kingdom; and so there's a [freeman of a] corporation, a place which hath the privilege of a market and trading, which if you should allow to all places equally, I do not see how you could preserve any peace in the kingdom, and that is the reason why in the constitution we have but some few market towns. Now those people [that have freeholds] and those [that] are the freemen of corporations, were looked upon by the former constitution to comprehend the permanent interest of the kingdom. For [first], he that hath his livelihood by his trade, and by his freedom of trading in such a corporation, which he cannot exercise in another, he is tied to that place, [for] his livelihood depends upon it. And secondly, that man hath an interest, hath a permanent interest there, upon which he may live, and live a freeman without dependence. These [things the] constitution [of] this kingdom hath looked at. Now I wish we may all consider of what right you will challenge that all the people should have right to elections. Is it by the right of nature? If you will hold forth that as your ground, then I think you must deny all property too, and this is my reason. For thus: by that same right of nature (whatever it be) that you pretend, by which you can say, one man hath an equal right with another to the choosing of him that shall govern him—by the same right of nature, he hath the same [equal] right in any goods he sees—meat, drink, clothes—to take and use them for his sustenance. He hath a freedom to the land, [to take] the ground, to exercise it, till it; he hath the [same] freedom to anything that any one doth account himself to have any propriety in. Why now I say then, if you, against the most fundamental part of [the] civil constitution (which I have now declared), will plead the Law of Nature, that a man should (paramount [to] this, and contrary to this) have a power of choosing those men that shall determine what shall be law in this state, though he himself have no permanent interest in the state, [but] whatever interest he hath he may carry about with him—if this be allowed, [because by the right of nature] we are free, we are equal, one man must have as much voice as another, then show me what step or difference [there is], why [I may not] by the same right [take your property, though not] of necessity to sustain nature. It is for my better being, and [the better settlement of the kingdom]? Possibly not for it, neither: possibly I may not have so real a regard to the peace of the kingdom as that man who hath a permanent interest in it. He that is here to-day, and gone to-morrow, I do not see that he hath such a permanent interest. Since you cannot plead to it by anything but the Law of Nature, [or for anything] but for the end of

better being, and [since] that better being is not certain, and [what is] more, destructive to another; upon these grounds, if you do, paramount [to] all constitutions, hold up this Law of Nature, I would fain have any man show me their bounds, where you will end, and [why you should not] take away all property.

Rainborough: I shall now be a little more free and open with you than I was before. I wish we were all true-hearted, and that we did all carry ourselves with integrity. If I did mistrust you I would [not] use such asseverations. I think it doth go on mistrust, and things are thought too [readily] matters of reflection, that were never intended. For my part, as I think, *you* forgot something that was in *my* speech, and you do not only yourselves believe that [some] men are inclining to anarchy, but you would make all men believe that. And, sir, to say because a man pleads that every man hath a voice [by right of nature], that therefore it destroys [by] the same [argument all property—this is to forget the Law of God]. That there's a property, the Law of God says it; else why [hath] God made that law, *Thou shalt not steal*? I am a poor man, therefore I must be [op]pressed: if I have no interest in the kingdom, I must suffer by all their laws be they right or wrong. Nay thus: a gentleman lives in a country and hath three or four lordships, as some men have (God knows how they got them); and when a Parliament is called he must be a Parliament-man; and it may be he sees some poor men, they live near this man, he can crush them—I have known an invasion to make sure he hath turned the poor men out of doors; and I would fain know whether the potency of [rich] men do not this, and so keep them under the greatest tyranny that was [ever] thought of in the world. And therefore I think that to that it is fully answered: God hath set down that thing as to propriety with this law of his, *Thou shalt not steal*. And for my part I am against any such thought, and, as for yourselves, I wish you would not make the world believe that we are for anarchy.

Cromwell: I know nothing but this, that they that are the most yielding have the greatest wisdom; but really, sir, this is not right as it should be. No man says that you have a mind to anarchy, but [that] the consequence of this rule tends to anarchy, must end in anarchy; for where is there any bound or limit set if you take away this [limit], that men that have no interest but the interest of breathing [shall have no voice in elections]? Therefore I am confident on 't, we should not be so hot one with another.

Rainborough: I know that some particular men we debate with [believe we] are for anarchy. . . . To the thing itself—property [in the franchise]. I would fain know how it comes to be the property [of some men, and not of others]. As for estates and those kind of things, and other things that belong

to men, it will be granted that they are property; but I deny that that is a property, to a lord, to a gentleman, to any man more than another in the kingdom of England. If it be a property, it is a property by a law—neither do I think that there is very little property in this thing by the law of the land, because I think that the law of the land in that thing is the most tyrannical law under heaven. And I would fain know what we have fought for. [For our laws and liberties?] And this is the old law of England—and that which enslaves the people of England—that they should be bound by laws in which they have no voice at all! | With respect to the divine law which says *Honour thy father and thy mother*] the great dispute is, who is a right father and a right mother? I am bound to know who is my father and mother; and—I take it in the same sense you do—I would have a distinction, a character whereby God commands me to honour [them]. And for my part I look upon the people of England so, that wherein they have not voices in the choosing of their [governors—their civil] fathers and mothers—they are not bound to that commandment.

Petty: I desire to add one word concerning the word *property*. It is for something that anarchy is so much talked of. For my own part I cannot believe in the least that it can be clearly derived from that paper. 'Tis true, that somewhat may be derived in the paper against the King, the power of the King, and somewhat against the power of the Lords; and the truth is when I shall see God going about to throw down King and Lords and property, then I shall be contented. But I hope that they may live to see the power of the King and the Lords thrown down, that yet may live to see property preserved. And for this of changing the Representative of the nation, of changing those that choose the Representative, making of them more full, taking more into the number than formerly, I had verily thought we had all agreed in it that more should have chosen—all that had desired a more equal representation than we now have. For now those only choose who have forty shillings freehold. A man may have a lease for one hundred pounds a year, a man may have a lease for three lives, [but he has no voice]. But [as] for this [argument], that it destroys all right [to property] that every Englishman that is an inhabitant of England should choose and have a voice in the representatives, I suppose it is, [on the contrary], the only means to preserve all property. For I judge every man is naturally free; and I judge the reason why men [chose representatives] when they were in so great numbers that every man could not give his voice [directly], was that they who were chosen might preserve property [for all]; and therefore men agreed to come into some form of government that they might preserve property, and I would fain know, if we were to begin a government, [whether you would say], "You

have not forty shillings a year, therefore you shall not have a voice." Whereas before there was a government every man had such a voice, and afterwards, and for this very cause, they did choose representatives, and put themselves into forms of government that they may preserve property, and therefore it is not to destroy it, [to give every man a voice].

Ireton: I think we shall not be so apt to come to a right understanding in this business, if one man, and another man, and another man do speak their several thoughts and conceptions to the same purpose, as if we do consider where the objection lies, and what the answer is which is made to it; and therefore I desire we may do so. To that which this gentleman spake last. The main thing that he seemed to answer was this: that he would make it appear that the going about to establish this government, [or] such a government, is not a destruction of property, nor does not tend to the destruction of property, because the people's falling into a government is for the preservation of property. What weight there [is in it] lies in this: since there is a falling into a government, and government is to preserve property, therefore this cannot be against property. The objection does not lie in that, the making of the representation more equal, but [in] the introducing of men into an equality of interest in this government, who have no property in this kingdom, or who have no local permanent interest in it. For if I had said that I would not wish at all that we should have any enlargement of the bounds of those that are to be the electors, then you might have excepted against it. But [what I said was] that I would not go to enlarge it beyond all bounds, so that upon the same ground you may admit of so many men from foreign states as would outvote you. The objection lies still in this. I do not mean that I would have it restrained to that proportion [that now obtains], but to restrain it still to men who have a local, a permanent interest in the kingdom, who have such an interest that they may live upon it as freemen, and who have such an interest as is fixed upon a place, and is not the same equally everywhere. If a man be an inhabitant upon a rack rent for a year, for two years, or twenty years, you cannot think that man hath any fixed or permanent interest. That man, if he pay the rent that his land is worth, and hath no advantage but what he hath by his land, is as good a man, may have as much interest, in another kingdom as here. I do not speak of not enlarging this [representation] at all, but of keeping this to the most fundamental constitution in this kingdom, that is, that no person that hath not a local and permanent interest in the kingdom should have an equal dependence in election [with those that have]. But if you go beyond this law, if you admit any man that hath a breath and being, I did show you how this will destroy property. It may come to destroy property thus. You may have such men chosen, or at least the

major part of them, [as have no local and permanent interest]. Why may not those men vote against all property? [Again] you may admit strangers by this rule, if you admit them once to inhabit, and those that have interest in the land may be voted out of their land. It may destroy property that way. But here is the rule that you go by. You infer this to be the right of the people, of every inhabitant, because man hath such a right in nature, though it be not of necessity for the preserving of his being; [and] therefore you are to overthrow the most fundamental constitution for this. By the same rule, show me why you will not, by the same right of nature, make use of anything that any man hath, [though it be not] for the necessary sustenance of men. Show me what you will stop at; wherein you will fence any man in a property by this rule.

Rainborough: I desire to know how this comes to be a property in some men, and not in others.

Colonel [Nathaniel] Rich: I confess [there is weight in] that objection that the Commissary-General last insisted upon; for you have five to one in this kingdom that have no permanent interest. Some men [have] ten, some twenty servants, some more, some less. If the master and servant shall be equal electors, then clearly those that have no interest in the kingdom will make it their interest to choose those that have no interest. It may happen, that the majority may by law, not in a confusion, destroy property; there may be a law enacted, that there shall be an equality of goods and estate. I think that either of the extremes may be urged to inconveniency; that is, [that] men that have no interest as to estate should have no interest as to election [and that they should have an equal interest]. But there may be a more equitable division and distribution than that he that hath nothing should have an equal voice; and certainly there may be some other way thought of, that there may be a representative of the poor as well as the rich, and not to exclude all. I remember there were many workings and revolutions, as we have heard, in the Roman Senate; and there was never a confusion that did appear (and that indeed *was* come to) till the state came to know this kind of distribution of election. That is how the people's voices were bought and sold, and that by the poor; and thence it came that he that was the richest man, and [a man] of some considerable power among the soldiers, and one they resolved on, made himself a perpetual dictator. And if we strain too far to avoid monarchy in kings [let us take heed] that we do not call for emperors to deliver us from more than one tyrant.

Rainborough: I should not have spoken again. I think it is a fine gilded pill. But there is much danger, and it may seem to some that there is some kind of remedy [possible]. I think that we are better as we are [if it can be really

proved] that the poor shall choose many [and] still the people be in the same case, be over-voted still. [But of this, and much else, I am unsatisfied], and therefore truly, sir, I should desire to go close to the business; and the [first] thing that I am unsatisfied in is how it comes about that there is such a propriety in some freeborn Englishmen, and not [in] others. . . .

Ireton: In the beginning of your speech you seem to acknowledge [that] by law, by civil constitution, the propriety of having voices in election was fixed in certain persons. So then your exception of your argument does not prove that by civil constitution they have no such propriety, but your argument does acknowledge [that] by civil [constitution they have such] propriety. You argue against this law [only] that this law is not good.

Wildman: Unless I be very much mistaken we are very much deviated from the first question. Instead of following the first proposition to inquire what is just, I conceive we look to prophecies, and look to what may be the event, and judge of the justness of a thing by the consequence. I desire we may recall [ourselves to the question] whether it be right or no. I conceive all that hath been said against it will be reduced to this [question of consequences], and [to] another reason—that it is against a fundamental law, that every person [choosing] ought to have a permanent interest, because it is not fit that those should choose Parliaments that have no lands to be disposed of by Parliament.

Ireton: If you will take it by the way, it is not fit that the representees should choose [as] the representers, or the persons who shall make the law in the kingdom, [those] who have not a permanent fixed interest in the kingdom. [The reason is the same in the two cases.]

Wildman: Sir, I do so take it; and I conceive that that is brought in for the same reason: that foreigners might [otherwise not only] come to have a voice in our elections as well as the native inhabitants, [but to be elected].

Ireton: That is upon supposition that these [foreigners] should be all inhabitants.

Wildman: I shall begin with the last first. The case is different with the native inhabitant and [the] foreigner. If a foreigner shall be admitted to be an inhabitant in the nation, so he will submit to that form of government as the natives do, he hath the same right as the natives but in this particular. Our case is to be considered thus, that we have been under slavery. That's acknowledged by all. Our very laws were made by our conquerors; and whereas it's spoken much of chronicles, I conceive there is no credit to be given to any of them; and the reason is because those that were our lords, and made us their vassals, would suffer nothing else to be chronicled. We are now engaged for our freedom. That's the end of Parliaments: not to constitute what is already [established, but to act] according to the just rules of government. Every

person in England hath as clear a right to elect his representative as the greatest person in England. I conceive that's the undeniable maxim of government: that all government is in the free consent of the people. If [so], then upon that account there is no person that is under a just government, or hath justly his own, unless he by his own free consent be put under that government. This he cannot be unless he be consenting to it, and therefore, according to this maxim, there is never a person in England [but ought to have a voice in elections]. If [this], as that gentleman says, be true, there are no laws that in this strictness and rigour of justice [any man is bound to], that are not made by those who[m] he doth consent to. And therefore I should humbly move, that if the question be stated—which would soonest bring things to an issue—it might rather be thus: Whether any person can justly be bound by law, who doth not give his consent that such persons shall make laws for him?

Ireton: Let the question be so: Whether a man can be bound to any law that he doth not consent to? And I shall tell you, that he may and ought to be [bound to a law] that he doth not give a consent to, nor doth not choose any [to consent to]; and I will make it clear. If a foreigner come within this kingdom, if that stranger will have liberty [to dwell here] who hath no local interest here, he, as a man, it's true, hath air, [the passage of highways, the protection of laws, and all] that by nature; we must not expel [him from] our coasts, give him no being amongst us, nor kill him because he comes upon our land, comes up our stream, arrives at our shore. It is a piece of hospitality, of humanity, to receive that man amongst us. But if that man be received to a being amongst us, I think that man may very well be content to submit himself to the law of the land; that is, the law that is made by those people that have a property, a fixed property, in the land. I think, if any man will receive protection from this people though [neither] he nor his ancestors, not any betwixt him and Adam, did ever give concurrence to this constitution, I think this man ought to be subject to those laws, and to be bound by those laws, so long as he continues amongst them. That is my opinion. A man ought to be subject to a law, that did not give his consent, but with this reservation, that if this man do think himself unsatisfied to be subject to this law he may go into another kingdom. And so the same reason doth extend, in my understanding, [to] that man that hath no permanent interest in the kingdom. If he hath money, his money is as good in another place as here; he hath nothing that doth locally fix him to this kingdom. If that man will live in this kingdom, or trade amongst us, that man ought to subject himself to the law made by the people who have the interest of this kingdom in them. And yet I do acknowledge that which you take to be so general a maxim, that in every kingdom, within every land, the original of power of making laws, of deter-

mining what shall be law in the land, does lie in the people—[but by the people is meant those] that are possessed of the permanent interest in the land. But whoever is extraneous to this, that is, as good a man in another land, that man ought to give such a respect to the property of men that live in the land. They do not determine [that I shall live in this land]. Why should I have any interest in determining what shall be the law of this land?

Major [William] Rainborough: I think if it can be made to appear that it is a just and reasonable thing, and that it is for the preservation of all the [native] freeborn men, [that they should have an equal voice in election]—I think it ought to be made good unto them. And the reason is: that the chief end of this government is to preserve persons as well as estates, and if any law shall take hold of my person it is more dear than my estate.

Colonel Rainborough: I do very well remember that the gentleman in the window [said] that, if it were so, there were no propriety to be had, because five parts of [the nation], the poor people, are now excluded and would then come in. So one on the other side said [that], if [it were] otherwise, then rich men [only] shall be chosen. Then, I say, the one part shall make hewers of wood and drawers of water of the other five, and so the greatest part of the nation be enslaved. Truly I think we are still where we were; and I do not hear any argument given but only that it is the present law of the kingdom. I say still, what shall become of those many [men] that have laid out themselves for the Parliament of England in this present war, that have ruined themselves by fighting, by hazarding all they had? They are Englishmen. They have now nothing to say for themselves.

Rich: I should be very sorry to speak anything here that should give offence, or that may occasion personal reflection[s] that we spoke against just now. I did not urge anything so far as was represented, and I did not at all urge that there should be a consideration [had of rich men], and that [a] man that is [poor] shall be without consideration, [or that] he deserves to be made poore[r] and not to live [in independence] at all. But all that I urged was this: that I think it worthy consideration, whether they should have an equality in their interest. However, I think we have been a great while upon this point, and if we be as long upon all the rest, it were well if there were no greater difference than this.

Mr. [Hugh] Peter: I think that this [matter of the franchise] may be easily agreed on—that is, there may be a way thought of. I think you would do well to set up all night [if thereby you could effect it], but I think that three or four might be thought of in this company [to form a committee]. You will be forced [only] to put characters upon electors or elected; therefore I do suppose that if there be any here that can make up a Representative to your mind,

the thing is gained. But I would fain know whether that will answer the work of your meeting. The question is, whether you can state any one question for [removing] the present danger of the kingdom, whether any one question or no will dispatch the work.

Sir, I desire, [if it be possible], that some question may be stated to finish the present work, to cement us [in the points] wherein lies the distance; and if the thoughts [be] of the commonwealth [and] the people's freedom, I think that's soon cured. I desire that all manner of plainness may be used, that we may not go on with the lapwing and carry one another off the nest. There is something else that must cement us where the awkwardness of our spirits lies.

Rainborough: For my part, I think we cannot engage one way or other in the Army if we do not think of the people's liberties. If we can agree where the liberty and freedom of the people lies, that will do all.

Ireton: I cannot consent so far. As I said before: when I see the hand of God destroying King, and Lords, and Commons too, [or] any foundation of human constitution, when I see God hath done it, I shall, I hope, comfortably acquiesce in it. But first, I cannot give my consent to it, because it is not good. And secondly, as I desire that this Army should have regard to engagements wherever they are lawful, so I would have them have regard to this [as well]: that they should not bring that scandal upon the name of God [and the Saints], that those that call themselves by that name, those whom God hath owned and appeared with—that we should represent ourselves to the world as men so far from being of that peaceable spirit which is suitable to the Gospel, as we should have bought peace of the world upon such terms—as we would not have peace in the world but upon such terms—as should destroy all property. If the principle upon which you move this alteration, or the ground upon which you press that we should make this alteration, do destroy all kind of property or whatsoever a man hath by human constitution, [I cannot consent to it]. The Law of God doth not give me property, nor the Law of Nature, but property is of human constitution. I have a property and this I shall enjoy. Constitution founds property. If either the thing itself that you press or the consequence [of] that you press [do destroy property], though I shall acquiesce in having no property, yet I cannot give my heart or hand to it; because it is a thing evil in itself and scandalous to the world, and I desire this Army may be free from both.

Sexby: I see that though liberty were our end, there is a degeneration from it. We have engaged in this kingdom and ventured our lives, and it was all for this: to recover our birthrights and privileges as Englishmen; and by the arguments urged there is none. There are many thousands of us soldiers that have ventured our lives; we have had little propriety in the kingdom as to

our estates, yet we have had a birthright. But it seems now, except a man hath a fixed estate in this kingdom, he hath no right in this kingdom. I wonder we were so much deceived. If we had not a right to the kingdom, we were mere mercenary soldiers. There are many in my condition, that have as good a condition [as I have]; it may be little estate they have at present, and yet they have as much a [birth] right as those two² who are their lawgivers, as any in this place. I shall tell you in a word my resolution. I am resolved to give my birthright to none. Whatsoever may come in the way, and [whatsoever may] be thought, I will give it to none. If this thing [be denied the poor], that with so much pressing after [they have sought, it will be the greatest scandal]. There was one thing spoken to this effect: that if the poor and those in low condition [were given their birthright it would be the destruction of this kingdom]. I think this was but a distrust of Providence. I do think the poor and meaner of this kingdom—I speak as in relation [to the condition of soldiers], in which we are—have been the means of the preservation of this kingdom. I say, in their stations, and really I think to their utmost possibility; and their lives have not been [held] dear for purchasing the good of the kingdom. [And now they demand the birthright for which they fought.] Those that act to this end are as free from anarchy or confusion as those that oppose it, and they have the Law of God and the law of their conscience [with them]. But truly I shall only sum up [in] this. I desire that we may not spend so much time upon these things. We must be plain. When men come to understand these things, they will not lose that which they have contended for. That which I shall beseech you is to come to a determination of this question.

Ireton: I am very sorry we are come to this point, that from reasoning one to another we should come to express our resolutions. I profess for my part, what I see is good for the kingdom, and becoming a Christian to contend for, I hope through God I shall have strength and resolution to do my part towards it. And yet I will profess direct contrary in some kind to what that gentleman said. For my part, rather than I will make a disturbance to a good constitution of a kingdom wherein I may live in godliness and honesty, and peace and quietness, I will part with a great deal of my birthright. I will part with my own property rather than I will be the man that shall make a disturbance in the kingdom for my property; and therefore if all the people in this kingdom, or [the] representative[s] of them all together, should meet and should give away my property I would submit to it, I would give it away. But that gentleman, and I think every Christian, ought to bear that spirit, to carry that in him, that he will not make a public disturbance upon a private prejudice.

² [The reference is probably to Cromwell and Ireton.]

Now let us consider where our difference lies. We all agree that you should have a Representative to govern, and this Representative to be as equal as you can [make it]. But the question is, whether this distribution can be made to all persons equally, or whether [only] amongst those equals that have the interest of England in them. That which I have declared [is] my opinion [still]. I think we ought to keep to that [constitution which we have now], both because it is a civil constitution—it is the most fundamental constitution that we have—and [because] here is so much justice and reason and prudence [in it]—as I dare confidently undertake to demonstrate—that there are many more evils that will follow in case you do alter [it] than there can [be] in the standing of it. But I say but this in the general, that I do wish that they that talk of birthrights—we any of us when we talk of birthrights—would consider what really our birthright is.

If a man mean by birthright, whatsoever I can challenge by the Law of Nature (suppose there were no constitution at all, no civil law and [no] civil constitution), [and] that *that* I am to contend for against constitution; [then] you leave no property, nor no foundation for any man to enjoy anything. But if you call that your birthright which is the most fundamental part of your constitution, then let him perish that goes about to hinder you or any man of the least part of your birthright, or will [desire to] do it. But if you will lay aside the most fundamental constitution, which is as good, for aught you can discern, as anything you can propose—at least it is a constitution, and I will give you consequence for consequence of good upon [that] constitution as you [can give] upon your birthright [without it]—and if you merely upon pretence of a birthright, of the right of nature, which is only true as for [your being, and not for] your better being; if you will upon that ground pretend that this constitution, the most fundamental constitution, the thing that hath reason and equity in it, shall not stand in your way, [it] is the same principle to me, say I, [as if] but for your better satisfaction you shall take hold of anything that a [nother] man call his own.

Rainborough: Sir, I see that it is impossible to have liberty but all property must be taken away. If it be laid down for a rule, and if you will say it, it must be so. But I would fain know what the soldier hath fought for all this while? He hath fought to enslave himself, to give power to men of riches, men of estates, to make him a perpetual slave. We do find in all presses that go forth none must be pressed that are freehold men. When these gentlemen fall out among themselves they shall press the poor scrubs to come and kill [one another for] them.

Ireton: I confess I see so much right in the business that I am not easily satisfied with flourishes. If you will [not] lay the stress of the business upon

the consideration of reason, or right relating to anything of human constitution, or anything of that nature, but will put it upon consequences, I will show you greater ill consequences—I see enough to say that, to my apprehensions, I can show you greater ill consequences to follow upon that alteration which you would have, by extending [voices] to all that have a being in this kingdom, than [any] that [can come] by this [present constitution], a great deal. That [that you urge of the present constitution] is a particular ill consequence. This [that I object against your proposal] is a general ill consequence, and this is as great as that or any [ill consequence] else [whatsoever], though I think you will see that the validity of that argument must be that for one ill [that] lies upon that which now is, I can show you a thousand upon this [that you propose].

Give me leave [to say] but this one word. I [will] tell you what the soldier of the kingdom hath fought for. First, the danger that we stood in was that one man's will must be a law. The people of the kingdom must have this right at least, that they should not be concluded [but] by the Representative of those that had the interest of the kingdom. So[m]e men fought in this, because they were immediately concerned and engaged in it. Other men who had no other interest in the kingdom but this, that they should have the benefit of those laws made by the Representative, yet [fought] that they should have the benefit of this Representative. They thought it was better to be concluded by the common consent of those that were fixed men, and settled men, that had the interest of this kingdom [in them]. “And from that way,” [said they], “I shall know a law and have a certainty.” Every man that was born [in the country, that] is a denizen in it, that hath a freedom, he was capable of trading to get money, to get estates by; and therefore this man, I think, had a great deal of reason to build up such a foundation of interest to himself: that is, that the will of one man should not be a law, but that the law of this kingdom should be by choice of persons to represent, and that choice to be made by, the generality of the kingdom. Here was a right that induced men to fight, and those men that had this interest, though this be not the utmost interest that other men have, yet they had *some* interest. Now [tell me] why we should go to plead whatsoever we can challenge by the right of nature against whatsoever any man can challenge by constitution. I do not see where that man will stop, as to point of property, [so] that he shall not use [against other property] that right he hath [claimed] by the Law of Nature against that constitution. I desire any man to show me where there is a difference. I have been answered, “Now we see liberty cannot stand without [destroying] property.” Liberty may be had and property not be destroyed. First, the liberty of all those that have the permanent interest in the kingdom, *that* is provided

for [by the constitution]. And [secondly, by an appeal to the Law of Nature] liberty cannot be provided for in a general sense, if property be preserved. For if property be preserved [by acknowledging a natural right in the possessor, so] that I am not to meddle with such a man's estate, his meat, his drink, his apparel, or other goods, then the right of nature destroys liberty. By the right of nature I am to have sustenance rather than perish; yet property destroys it for a man to have [this] by the right of nature, [even] suppose there be no human constitution. . . .

THOMAS HOBBES

ONE OF THE MOST IMPORTANT of those philosophers who, in the seventeenth century, formulated the rationale for rising national states was Thomas Hobbes (1588-1679). Educated at Oxford, Hobbes visited France in the course of his studies and also in his position as tutor to the second earl of Devonshire. There he made the acquaintance of such leaders in the "new learning" as Pierre Gassendi (1592-1655) and Tommaso Campanella (1568-1639), as well as members of the Cartesian circle. He was also the friend of Francis Bacon. Political philosophy since the time of Hobbes has employed his basic principles—the egoism of human nature and the social contract—as points of departure, either elaborating them in terms of new situations or feeling it necessary to criticize them as the prerequisite to making a new start.

Born when the Spanish Armada threatened the security of the British Isles, Hobbes passed his lifetime amidst the turmoil of war, civil and foreign, and witnessed the precarious situation wrought by the conflict of church and state. As he tells us in a Latin autobiography, he and fear, like twins, were born together, and the primary motivation behind Hobbes's philosophy was his desire for peace, and his conviction that the attainment of such peace rested upon a stable government with absolute authority over its subjects and over such institutions as the church. What most alienated Hobbes's contemporaries was his attack on the division between temporal and spiritual authority. The supreme power or sovereign, he argued, must be absolute, not bound by popular will or by popes. Hence the church is either the only government or it is no government at all, but a servant of the sovereign. The only "kingdom of God" is in natural law, not in the church.

It was in terms of the mechanical science of his day that Hobbes formulated his insight that individuals' fears of one another had to be mutually adjusted if they were to live together securely. He is the foremost of those thinkers who instituted the widespread fashion in modern philosophy of regarding politics as a branch of physical science, as a kind of social physics. Hardly more than an amateur in the physical sciences he nevertheless grasped the central idea of Descartes's and Galileo's message—that the world could be described completely in terms of the movement of physical bodies. It was in terms of such a conception that he expressed his incisive insights into politics. The natural motion of bodies when left to themselves—their tendency to pursue their own direction—was translated in the realm of human behavior into the principle of egoism—that individuals naturally take the line of least resistance and pursue their own interest. It is this egoism in human nature which is the root of social conflicts.

However, bodies take on what Hobbes called "compounded" motion when they are brought into conjunction with other bodies. In the same way, the "artificial" body known as the state, and compounded out of various individual bodies, originates out of this egoism. Since the attainment of all purposes is threatened by the war of every man against every man, a "social contract" is established whereby men accept a common power, who will protect them from themselves and from each

other, keep the peace, and make possible the satisfaction of a modicum of human desires. Civilized arts and industries develop only because men give up their natural liberties for the sake of an artificial and preferable peace.

Hobbes does not intend the social contract to be regarded as an actual historical occurrence. It is intended instead to represent the principle which everyone accepts by living in society. It indicates the function and purpose of a state and the desirability of one with supreme and central authority. Despite its modern and scientific terminology the philosophy of Hobbes represents a view that is very old. The essentials of his conception of society are presented by Glaucon in Plato's *Republic*, and Hobbes's "contemplative melancholiness" with regard to human nature and society is similar at many points to the beliefs of Saint Augustine. The peace desired by Hobbes is, to be sure, different from that toward which Augustine strives, but there is an essential agreement between the two thinkers that human nature requires a superimposed authority if the goal is to be attained.

Hobbes was a prolific writer on various themes. As a youth he translated the first eight books of Thucydides, and the *Iliad* and *Odyssey*. In 1641 he published a number of objections to Descartes's metaphysics. The *Leviathan*, from which selections follow, was published in 1651 with the title, *Leviathan, or the Matter, Forme, and Power of a Commonwealth Ecclesiastical and Civil*.



LEVIATHAN

THE INTRODUCTION

NATURE, the art whereby God hath made and governs the world, is by the *art* of man, as in many other things, so in this also imitated, that it can make an artificial animal. For seeing life is but a motion of limbs, the beginning whereof is in some principal part within; why may we not say, that all *automata* (engines that move themselves by springs and wheels as doth a watch) have an artificial life? For what is the *heart*, but a *spring*; and the *nerves*, but so many *strings*; and the *joints*, but so many *wheels*, giving motion to the whole body, such as was intended by the artificer? *Art* goes yet further, imitating that rational and most excellent work of nature, *man*. For by art is created that great LEVIATHAN called a COMMONWEALTH, or STATE, in Latin CIVITAS, which is but an artificial man; though of greater stature and strength than the natural, for whose protection and defense it was intended; and in which the *sovereignty* is an artificial *soul*, as giving life and motion to the whole body; the *magistrates*, and other *officers* of judicature and execution, artificial *joints*; *reward* and *punishment*, by which fastened to the seat of the sovereignty every joint and member is moved to perform his duty, are the *nerves*, that do the same in the body natural; the *wealth* and *riches* of all the

particular members, are the *strength*; *salus populi*, the *people's safety*, its *business*; *counsellors*, by whom all things needful for it to know are suggested unto it, are the *memory*; *equity*, and *laws*, an artificial *reason* and *will*; *concord*, *health*; *sedition*, *sickness*; and *civil war*, *death*. Lastly, the *pacts* and *covenants*, by which the parts of this body politic were at first made, set together, and united, resemble that *fiat*, or the *let us make man*, pronounced by God in the creation.

To describe the nature of this artificial man, I will consider

First, the *matter* thereof, and the *artificer*; both which is *man*.

Secondly, *how*, and by what *covenants* it is made; what are the *rights* and just *power* or *authority* of a *sovereign*; and what it is that *preserveth* or *dissolveth* it.

Thirdly, what is a *Christian commonwealth*.

Lastly, what is the *kingdom of darkness*. . . .

CHAPTER XIII: OF THE NATURAL CONDITION OF MANKIND AS CONCERNING THEIR FELICITY, AND MISERY

Nature hath made men so equal, in the faculties of the body, and mind; as that though there be found one man sometimes manifestly stronger in body, or of quicker mind than another; yet when all is reckoned together, the difference between man, and man, is not so considerable, as that one man can thereupon claim to himself any benefit, to which another may not pretend, as well as he. For as to the strength of body, the weakest has strength enough to kill the strongest, either by secret machination, or by confederacy with others, that are in the same danger with himself.

And as to the faculties of the mind, setting aside the arts grounded upon words, and especially that skill of proceeding upon general, and infallible rules, called science; which very few have, and but in few things; as being not a native faculty, born with us; nor attained, as prudence, while we look after somewhat else, I find yet a greater equality amongst men, than that of strength. For prudence, is but experience; which equal time, equally bestows on all men, in those things they equally apply themselves unto. That which may perhaps make such equality incredible, is but a vain conceit of one's own wisdom, which almost all men think they have in a greater degree, than the vulgar; that is, than all men but themselves, and a few others, whom by fame, or for concurring with themselves, they approve. For such is the nature of men, that howsoever they may acknowledge many others to be more witty, or more eloquent, or more learned; yet they will hardly believe there be many so wise as themselves; for they see their own wit at hand, and other men's at a distance. But this proveth rather that men are in that point equal, than

unequal. For there is not ordinarily a greater sign of the equal distribution of any thing, than that every man is contented with his share.

From this equality of ability, ariseth equality of hope in the attaining of our ends. And therefore if any two men desire the same thing, which nevertheless they cannot both enjoy, they become enemies; and in the way to their end, which is principally their own conservation, and sometimes their delectation only, endeavour to destroy, or subdue one another. And from hence it comes to pass, that where an invader hath no more to fear, than another man's single power; if one plant, sow, build, or possess a convenient seat, others may probably be expected to come prepared with forces united, to dispossess, and deprive him, not only of the fruit of his labour, but also of his life, or liberty. And the invader again is in the like danger of another.

And from this diffidence of one another, there is no way for any man to secure himself, so reasonable, as anticipation; that is, by force, or wiles, to master the persons of all men he can, so long, till he see no other power great enough to endanger him: and this is no more than his own conservation requireth, and is generally allowed. Also because there be some, that taking pleasure in contemplating their own power in the acts of conquest, which they pursue farther than their security requires; if others, that otherwise would be glad to be at ease within modest bounds, should not by invasion increase their power, they would not be able, long time, by standing only on their defence, to subsist. And by consequence, such augmentation of dominion over men being necessary to a man's conservation, it ought to be allowed him.

Again, men have no pleasure, but on the contrary a great deal of grief, in keeping company, where there is no power able to overawe them all. For every man looketh that his companion should value him, as the same rate he sets upon himself: and upon all signs of contempt, or undervaluing, naturally endeavours, as far as he dares, (which amongst them that have no common power to keep them in quiet, is far enough to make them destroy each other), to extort a greater value from his contemners, by damage; and from others, by the example.

So that in the nature of man, we find three principal causes of quarrel. First, competition; second, diffidence; thirdly, glory.

The first, maketh men invade for gain; the second, for safety; and the third, for reputation. The first use violence, to make themselves masters of other men's persons, wives, children, and cattle; the second, to defend them; the third, for trifles, as a word, a smile, a different opinion, and any other sign of undervalue, either direct in their persons, or by reflection in their kindred, their friends, their nation, their profession, or their name.

Hereby it is manifest, that during the time men live without a common power to keep them all in awe, they are in that condition which is called war; and such a war, as is of every man, against every man. For WAR, consisteth not in battle only, or the act of fighting; but in a tract of time, wherein the will to contend by battle is sufficiently known: and therefore the notion of *time*, is to be considered in the nature of war; as it is in the nature of weather. For as the nature of foul weather, lieth not in a shower or two of rain; but in an inclination thereto of many days together: so the nature of war, consisteth not in actual fighting; but in the known disposition thereto, during all the time there is no assurance to the contrary. All other time is PEACE.

Whatsoever therefore is consequent to a time of war, where every man is enemy to every man; the same is consequent to the time, wherein men live without other security, than what their own strength, and their own invention shall furnish them withal. In such condition, there is no place for industry; because the fruit thereof is uncertain: and consequently no culture of the earth; no navigation, nor use of the commodities that may be imported by sea; no commodious building; no instruments of moving, and removing, such things as require much force; no knowledge of the face of the earth; no account of time; no arts; no letters; no society; and which is worst of all, continual fear, and danger of violent death; and the life of man, solitary, poor, nasty, brutish, and short.

It may seem strange to some man, that has not well weighed these things; that nature should thus dissociate, and render men apt to invade, and destroy one another: and he may therefore, not trusting to this inference, made from the passions, desire perhaps to have the same confirmed by experience. Let him therefore consider with himself, when taking a journey, he arms himself, and seeks to go well accompanied; when going to sleep, he locks his doors; when even in his house he locks his chests; and this when he knows there be laws, and public officers, armed, to revenge all injuries shall be done him; what opinion he has of his fellow-subjects, when he rides armed; of his fellow citizens, when he locks his doors; and of his children, and servants, when he locks his chests. Does he not there as much accuse mankind by his actions, as I do by my words? But neither of us accuse man's nature in it. The desires, and other passions of man, are in themselves no sin. No more are the actions, that proceed from those passions, till they know a law that forbids them: which till laws be made they cannot know: nor can any law be made, till they have agreed upon the person that shall make it.

It may peradventure be thought, there was never such a time, nor condition of war as this; and I believe it was never generally so, over all the world: but

there are many places, where they live so now. For the savage people in many places of America, except the government of small families, the concord whereof dependeth on natural lust, have no government at all; and live at this day in that brutish manner, as I said before. Howsoever, it may be perceived what manner of life there would be, where there were no common power to fear, by the manner of life, which men that have formerly lived under a peaceful government, use to degenerate into, in a civil war.

But though there had never been any time, wherein particular men were in a condition of war one against another; yet in all times, kings, and persons of sovereign authority, because of their independency, are in continual jealousies, and in the state and posture of gladiators; having their weapons pointing, and their eyes fixed on one another; that is, their forts, garrisons, and guns upon the frontiers of their kingdoms; and continual spies upon their neighbours; which is a posture of war. But because they uphold thereby, the industry of their subjects; there does not follow from it, that misery, which accompanies the liberty of particular men.

To this war of every man, against every man, this also is consequent; that nothing can be unjust. The notions of right and wrong, justice and injustice have there no place. Where there is no common power, there is no law: where no law, no injustice. Force, and fraud, are in war the two cardinal virtues. Justice, and injustice are none of the faculties neither of the body, nor mind. If they were, they might be in a man that were alone in the world, as well as his senses, and passions. They are qualities, that relate to men in society, not in solitude. It is consequent also to the same condition, that there be no propriety, no dominion, no *mine* and *thine* distinct; but only that to be every man's, that he can get; and for so long, as he can keep it. And thus much for the ill condition, which man by mere nature is actually placed in; though with a possibility to come out of it, consisting partly in the passions, partly in his reason.

The passions that incline men to peace, are fear of death; desire of such things as are necessary to commodious living; and a hope by their industry to obtain them. And reason suggesteth convenient articles of peace, upon which men may be drawn to agreement. These articles, are they, which otherwise are called the Laws of Nature: whereof I shall speak more particularly in the two following chapters.

CHAPTER XIV: OF THE FIRST AND SECOND NATURAL LAWS, AND OF CONTRACTS

THE RIGHT OF NATURE, which writers commonly call *jus naturale*, is the liberty each man hath, to use his own power, as he will himself, for the preservation

of his own nature; that is to say, of his own life; and consequently, of doing anything, which in his own judgment, and reason, he shall conceive to be the aptest means thereunto.

By LIBERTY, is understood, according to the proper signification of the word, the absence of external impediments: which impediments, may oft take away part of a man's power to do what he would; but cannot hinder him from using the power left him, according as his judgment, and reason shall dictate to him.

A LAW OF NATURE, *lex naturalis*, is a precept or general rule, found out by reason, by which a man is forbidden to do that, which is destructive of his life, or taketh away the means of preserving the same; and to omit that, by which he thinketh it may be best preserved. For though they that speak of this subject, use to confound *jus*, and *lex*, *right* and *law*: yet they ought to be distinguished; because RIGHT, consisteth in liberty to do, or to forbear; whereas LAW, determineth, and bindeth to one of them: so that law, and right, differ as much, as obligation, and liberty; which in one and the same matter are inconsistent.

And because the condition of man, as hath been declared in the precedent chapter, is a condition of war of every one against every one; in which case every one is governed by his own reason; and there is nothing he can make use of, that may not be a help unto him, in preserving his life against his enemies; it followeth, that in such a condition, every man has a right to every thing; even to one another's body. And therefore, as long as this natural right of every man to every thing endureth, there can be no security to any man, how strong or wise soever he be, of living out the time, which nature ordinarily alloweth men to live. And consequently it is a precept, or general rule of reason, *that every man, ought to endeavour peace, as far as he has hope of obtaining it; and when he cannot obtain it, that he may seek, and use, all helps, and advantages of war.* The first breach of which rule, containeth the first, and fundamental law of nature; which is, *to seek peace, and follow it.* The second, the sum of the right of nature; which is, *by all means we can, to defend ourselves.*

From this fundamental law of nature, by which men are commanded to endeavour peace, is derived this second law; *that a man be willing, when others are so too, as far forth, as for peace, and defence of himself he shall think it necessary, to lay down this right to all things; and be contented with so much liberty against other men, as he would allow other men against himself.* For as long as every man holdeth this right, of doing any thing he liketh; so long are all men in the condition of war. But if other men will not lay down their

right, as well as he; then there is no reason for anyone, to divest himself of his: for that were to expose himself to prey, which no man is bound to, rather than to dispose himself to peace. This is that law of the Gospel; *whatsoever you require that others should do to you, that do ye to them*. And that law of all men, *quod tibi fieri non vis, alteri ne feceris*.¹

To lay down a man's right to any thing, is to divest himself of the liberty, of hindering another of the benefit of his own right to the same. For he that renounceth, or passeth away his right, giveth not to any other man a right which he had not before; because there is nothing to which every man had not right by nature: but only standeth out of his way, that he may enjoy his own original right, without hindrance from him; not without hindrance from another. So that the effect which redoundeth to one man, by another man's defect of right, is but so much diminution of impediments to the use of his own right original.

Right is laid aside, either by simply renouncing it; or by transferring it to another. By *simply* RENOUNCING; when he cares not to whom the benefit thereof redoundeth. By TRANSFERRING; when he intendeth the benefit thereof to some certain person, or persons. And when a man hath in either manner abandoned, or granted away his right; then is he said to be OBLIGED, or BOUND, not to hinder those, to whom such right is granted, or abandoned, from the benefit of it: and that he *ought*, and it is his DUTY, not to make void that voluntary act of his own: and that such hindrance is INJUSTICE, and INJURY, as being *sine jure*; ² the right being before renounced, or transferred. So that *injury*, or *injustice*, in the controversies of the world, is somewhat like to that, which in the disputations of scholars is called *absurdity*. For as it is there called an absurdity, to contradict what one maintained in the beginning: so in the world, it is called injustice, and injury, voluntarily to undo that, which from the beginning he had voluntarily done. The way by which a man either simply renounceth, or transferreth his right, is a declaration, or signification, by some voluntary and sufficient sign, or signs, that he doth so renounce, or transfer; or hath so renounced, or transferred the same, to him that accepteth it. And these signs are either words only, or actions only; or, as it happeneth most often, both words, and actions. And the same are the BONDS, by which men are bound, and obliged: bonds, that have their strength, not from their own nature, for nothing is more easily broken than a man's word, but from fear of some evil consequence upon the rupture.

Whensoever a man transferreth his right, or renounceth it; it is either in consideration of some right reciprocally transferred to himself; or for some

¹ [*What you would not have done unto you, do not unto others.*]

² [*Without right.*]

other good he hopeth for thereby. For it is a voluntary act: and of the voluntary acts of every man, the object is some *good to himself*. And therefore there be some rights, which no man can be understood by any words, or other signs, to have abandoned, or transferred. As first a man cannot lay down the right of resisting them, that assault him by force, to take away his life; because he cannot be understood to aim thereby, at any good to himself. The same may be said of wounds, and chains, and imprisonment; both because there is no benefit consequent to such patience; as there is to the patience of suffering another to be wounded, or imprisoned: as also because a man cannot tell, when he seeth men proceed against him by violence, whether they intend his death or not. And lastly the motive, and end for which this renouncing, and transferring of right is introduced, is nothing else but the security of a man's person, in his life, and in the means of so preserving life, as not to be weary of it. And therefore if a man by words, or other signs, seem to despoil himself of the end, for which those signs were intended; he is not to be understood as if he meant it, or that it was his will; but that he was ignorant of how such words and actions were to be interpreted.

The mutual transferring of right, is that which men call CONTRACT. . . .

. . . One of the contractors, may deliver the thing contracted for on his part, and leave the other to perform his part at some determinate time after, and in the mean time be trusted; and then the contract on his part, is called PACT, or COVENANT: or both parts may contract now, to perform hereafter: in which cases, he that is to perform in time to come, being trusted, his performance is called *keeping of promise*, or faith; and the failing of performance, if it be voluntary, *violation of faith*.

When the transferring of right, is not mutual: but one of the parties transferreth, in hope to gain thereby friendship, or service from another, or from his friends; or in hope to gain the reputation of charity, or magnanimity; or to deliver his mind from the pain of compassion; or in hope of reward in heaven; this is not contract, but GIFT, FREE-GIFT, GRACE: which words signify one and the same thing. . . .

Words alone, if they be of the time to come, and contain a bare promise, are an insufficient sign of a free gift, and therefore not obligatory. For if they be of the time to come, as *to-morrow I will give*, they are a sign I have not given yet, and consequently that my right is not transferred, but remaineth till I transfer it by some other act. But if the words be of the time present, or past, as, *I have given*, or, *do give to be delivered to-morrow*, then is my to-morrow's right given away to-day; and that by the virtue of the words, though there were no other argument of my will. . . .

If a covenant be made, wherein neither of the parties perform presently,

but trust one another; in the condition of mere nature, which is a condition of war of every man against every man, upon any reasonable suspicion, it is void: but if there be a common power set over them both, with right and force sufficient to compel performance, it is not void. For he that performeth first, has no assurance the other will perform after; because the bonds of words are too weak to bridle men's ambition, avarice, anger, and other passions, without the fear of some coercive power; which in the condition of mere nature, where all men are equal, and judges of the justness of their own fears, cannot possibly be supposed. And therefore he which performeth first, does but betray himself to his enemy; contrary to the right, he can never abandon, of defending his life, and means of living.

But in a civil estate, where there is a power set up to constrain those that would otherwise violate their faith, that fear is no more reasonable; and for that cause, he which by the covenant is to perform first, is obliged so to do.

The cause of fear, which maketh such a covenant invalid, must be always something arising after the covenant made; as some new fact, or other sign of the will not to perform: else it cannot make the covenant void. For that which could not hinder a man from promising, ought not to be admitted as a hindrance of performing.

He that transferreth any right, transferreth the means of enjoying it, as far as lieth in his power. As he that selleth land, is understood to transfer the herbage, and whatsoever grows upon it: nor can he that sells a mill turn away the stream that drives it. And they that give to a man the right of government in sovereignty, are understood to give him the right of levying money to maintain soldiers; and of appointing magistrates for the administration of justice.

To make covenants with brute beasts, is impossible; because not understanding our speech, they understand not, nor accept of any translation of right; nor can translate any right to another: and without mutual acceptance, there is no covenant.

To make covenant with God, is impossible, but by mediation of such as God speaketh to, either by revelation supernatural, or by his lieutenants that govern under him, and in his name: for otherwise we know not whether our covenants be accepted, or not. And therefore they that vow anything contrary to any law of nature, vow in vain; as being a thing unjust to pay such vow. And if it be a thing commanded by the law of nature, it is not the vow, but the law that binds them.

The matter, or subject of a covenant, is always something that falleth under deliberation; for to covenant, is an act of the will; that is to say, an act, and the last act of deliberation; and is therefore always understood to be something

to come; and which is judged possible for him that covenanteth, to perform.

And therefore, to promise that which is known to be impossible, is no covenant. But if that prove impossible afterwards, which before was thought possible, the covenant is valid, and bindeth, though not to the thing itself, yet to the value; or, if that also be impossible, to the unfeigned endeavour of performing as much as is possible: for to more no man can be obliged.

Men are freed of their covenants two ways; by performing; or by being forgiven. For performance, is the natural end of obligation; and forgiveness, the restitution of liberty; as being a retransferring of that right, in which the obligation consisted.

Covenants entered into by fear, in the condition of mere nature, are obligatory. For example, if I covenant to pay a ransom, or service, for my life, to an enemy; I am bound by it: for it is a contract, wherein one receiveth the benefit of life; the other is to receive money, or service for it; and consequently, where no other law, as in the condition of mere nature, forbiddeth the performance, the covenant is valid. Therefore prisoners of war, if trusted with the payment of their ransom, are obliged to pay it: and if a weaker prince, make a disadvantageous peace with a stronger, for fear; he is bound to keep it; unless, as hath been said before, there ariseth some new, and just cause of fear, to renew the war. And even in commonwealths, if I be forced to redeem myself from a thief by promising him money, I am bound to pay it, till the civil law discharge me. For whatsoever I may lawfully do without obligation, the same I may lawfully covenant to do through fear: and what I lawfully covenant, I cannot lawfully break.

A former covenant, makes void a later. For a man that hath passed away his right to one man to-day, hath it not to pass to-morrow to another: and therefore the later promise passeth no right, but is null.

A covenant not to defend myself from force, by force, is always void. For, as I have showed before, no man can transfer, or lay down his right to save himself from death, wounds, imprisonment, the avoiding whereof is the only end of laying down any right; and therefore the promise of not resisting force, in no covenant transferreth any right; nor is obliging. For though a man may covenant thus, *unless I do so, or so, kill me*; he cannot covenant thus, *unless I do so, or so, I will not resist you, when you come to kill me*. For man by nature chooseth the lesser evil, which is danger of death in resisting; rather than the greater, which is certain and present death in not resisting. And this is granted to be true by all men, in that they lead criminals to execution, and prison, with armed men, notwithstanding that such criminals have consented to the law, by which they are condemned. . . .

The force of words, being, as I have formerly noted, too weak to hold men

to the performance of their covenants; there are in man's nature, but two imaginable helps to strengthen it. And those are either a fear of the consequence of breaking their word; or a glory, or pride in appearing not to need to break it. This latter is a generosity too rarely found to be presumed on, especially in the pursuers of wealth, command, or sensual pleasure; which are the greatest part of mankind. The passion to be reckoned upon, is fear; whereof there be two very general objects: one, the power of spirits invisible; the other, the power of those men they shall therein offend. Of these two, though the former be the greater power, yet the fear of the latter is commonly the greater fear. The fear of the former is in every man, his own religion: which hath place in the nature of man before civil society. The latter hath not so; at least not place enough, to keep men to their promises; because in the condition of mere nature, the inequality of power is not discerned, but by the event of battle. So that before the time of civil society, or in the interruption thereof by war, there is nothing can strengthen a covenant of peace agreed on, against the temptations of avarice, ambition, lust, or other strong desire, but the fear of that invisible power, which they every one worship as God; and fear as a revenger of their perfidy. All therefore that can be done between two men not subject to civil power, is to put one another to swear by the God he feareth. . . .

CHAPTER XV: OF OTHER LAWS OF NATURE

From that law of nature, by which we are obliged to transfer to another, such rights, as being retained, hinder the peace of mankind, there followeth a third; which is this, *that men perform their covenants made*: without which, covenants are in vain, and but empty words; and the right of all men to all things remaining, we are still in the condition of war.

And in this law of nature, consisteth the fountain and original of JUSTICE. For where no covenant hath preceded, there hath no right been transferred, and every man has right to every thing; and consequently, no action can be unjust. But when a covenant is made, then to break it is *unjust*: and the definition of INJUSTICE, is no other than *the not performance of covenant*. And whatsoever is not unjust, is *just*.

But because covenants of mutual trust, where there is a fear of not performance on either part, as hath been said in the former chapter, are invalid; though the original of justice be the making of covenants; yet injustice actually there can be none, till the cause of such fear be taken away; which while men are in the natural condition of war, cannot be done. Therefore before the names of just, and unjust can have place, there must be some coercive power, to compel men equally to the performance of their covenants, by the terror of some punishment, greater than the benefit they expect by the breach of their

covenant; and to make good that propriety, which by mutual contract men acquire, in recompense of the universal right they abandon: and such power there is none before the erection of a commonwealth. And this is also to be gathered out of the ordinary definition of justice in the Schools: for they say, that *justice is the constant will of giving to every man his own*. And therefore where there is no *own*, that is no propriety, there is no injustice; and where is no coercive power erected, that is, where there is no commonwealth, there is no propriety; all men having right to all things: therefore where there is no commonwealth, there nothing is unjust. So that the nature of justice, consisteth in keeping of valid covenants: but the validity of covenants begins not but with the constitution of a civil power, sufficient to compel men to keep them: and then it is also that propriety begins.

The fool hath said in his heart, there is no such thing as justice; and sometimes also with his tongue; seriously alleging, that every man's conservation, and contentment, being committed to his own care, there could be no reason, why every man might not do what he thought conduced thereunto: and therefore also to make, or not make; keep, or not keep covenants, was not against reason, when it conduced to one's benefit. He does not therein deny, that there be covenants; and that they are sometimes broken, sometimes kept; and that such breach of them may be called injustice, and the observance of them justice: but he questioneth, whether injustice, taking away the fear of God, for the same fool hath said in his heart there is no God, may not sometimes stand with that reason, which dictateth to every man his own good; and particularly then, when it conduceth to such a benefit, as shall put a man in a condition, to neglect not only the dispraise, and revilings, but also the power of other men. The kingdom of God is gotten by violence: but what if it could be gotten by unjust violence? were it against reason so to get it, when it is impossible to receive hurt by it? and if it be not against reason, it is not against justice; or else justice is not to be approved for good. From such reasoning as this, successful wickedness hath obtained the name of virtue: and some that in all other things have disallowed the violation of faith; yet have allowed it, when it is for the getting of a kingdom. And the heathen that believed, that Saturn was deposed by his son Jupiter, believed nevertheless the same Jupiter to be the avenger of injustice: somewhat like to a piece of law in Coke's *Commentaries on Littleton*; where he says, if the right heir of the crown be attainted of treason; yet the crown shall descend to him, and *eo instante* ³ the attainder be void: from which instances a man will be very prone to infer; that when the heir apparent of a kingdom, shall kill him that is in possession, though his father; you may call it injustice, or by what other name you will; yet it can never be against reason, seeing all the voluntary actions of men tend to the benefit of

³ [At that moment.]

themselves; and those actions are most reasonable, that conduce most to their ends. This specious reasoning is nevertheless false.

For the question is not of promises mutual, where there is no security of performance on either side; as when there is no civil power erected over the parties promising; for such promises are no covenants: but either where one of the parties has performed already; or where there is a power to make him perform; there is the question whether it be against reason, that is, against the benefit of the other to perform, or not. And I say it is not against reason. For the manifestation whereof, we are to consider; first, that when a man doth a thing, which notwithstanding any thing can be foreseen, and reckoned on, tendeth to his own destruction, howsoever some accident which he could not expect, arriving may turn it to his benefit; yet such events do not make it reasonably or wisely done. Secondly, that in a condition of war, wherein every man to every man, for want of a common power to keep them all in awe, is an enemy, there is no man who can hope by his own strength, or wit, to defend himself from destruction, without the help of confederates; where every one expects the same defense by the confederation, that any one else does: and therefore he which declares he thinks it reason to deceive those that help him, can in reason expect no other means of safety, than what can be had from his own single power. He therefore that breaketh his covenant, and consequently declareth that he thinks he may with reason do so, cannot be received into any society, that unite themselves for peace and defense, but by the error of them that receive him; nor when he is received, be retained in it, without seeing the danger of their error; which errors a man cannot reasonably reckon upon as the means of his security: and therefore if he be left, or cast out of society, he perisheth; and if he live in society, it is by the errors of other men, which he could not foresee, nor reckon upon; and consequently against the reason of his preservation; and so, as all men that contribute not to his destruction, forbear him only out of ignorance of what is good for themselves.

As for the instance of gaining the secure and perpetual felicity of heaven, by any way; it is frivolous: there being but one way imaginable; and that is not breaking, but keeping of covenant.

And for the other instance of attaining sovereignty by rebellion; it is manifest, that though the event follow, yet because it cannot reasonably be expected, but rather the contrary; and because by gaining it so, others are taught to gain the same in like manner, the attempt thereof is against reason. Justice therefore, that is to say, keeping of covenant, is a rule of reason, by which we are forbidden to do any thing destructive to our life; and consequently a law of nature.

There be some that proceed further; and will not have the law of nature, to

be those rules which conduce to the preservation of man's life on earth; but to the attaining of an eternal felicity after death; to which they think the breach of covenant may conduce; and consequently be just and reasonable; such are they that think it a work of merit to kill, or depose, or rebel against, the sovereign power constituted over them by their own consent. But because there is no natural knowledge of man's estate after death; much less of the reward that is then to be given to breach of faith; but only a belief groundd upon other men's saying, that they know it supernaturally, or that they know those, that knew them, that knew others, that knew it supernaturally; breach of faith cannot be called a precept of reason, or nature.

Others, that allow for a law of nature, the keeping of faith, do nevertheless make exception of certain persons; as heretics, and such as use not to perform their covenant to others: and this also is against reason. For if any fault of a man, be sufficient to discharge our covenant made; the same ought in reason to have been sufficient to have hindered the making of it. . . .

As justice dependeth on antecedent covenant; so does GRATITUDE depend on antecedent grace; that is to say, antecedent free gift: and is the fourth law of nature; which may be conceived in this form, *that a man which receiveth benefit from another of mere grace, endeavour that he which giveth it, have no reasonable cause to repent him of his good will.* For no man giveth, but with intention of good to himself; because gift is voluntary; and of all voluntary acts, the object is to every man his own good; of which if men see they shall be frustrated, there will be no beginning of benevolence, or trust; nor consequently of mutual help; nor of reconciliation of one man to another; and therefore they are to remain still in the condition of *war*; which is contrary to the first and fundamental law of nature, which commandeth men to *seek peace*. The breach of this law, is called *ingratitude*; and hath the same relation to grace, that injustice hath to obligation by covenant.

A fifth law of nature, is COMPLAISANCE; that is to say, *that every man strive to accommodate himself to the rest.* For the understanding whereof, we may consider, that there is in men's aptness to society, a diversity of nature, rising from their diversity of affections; not unlike to that we see in stones brought together for building of an edifice. For as that stone which by the asperity, and irregularity of figure, takes more room from others, than itself fills; and for the hardness, cannot be easily made plain, and thereby hindereth the building, is by the builders cast away as unprofitable, and troublesome: so also, a man that by asperity of nature, will strive to retain those things which to himself are superfluous, and to others necessary; and for the stubbornness of his passions, cannot be corrected, is to be left, or cast out of society, as cumbersome thereunto. For seeing every man, not only by right, but also by necessity of

nature, is supposed to endeavour all he can, to obtain that which is necessary for his conservation; he that shall oppose himself against it, for things superfluous, is guilty of the war that thereupon is to follow; and therefore doth that, which is contrary to the fundamental law of nature, which commandeth *to seek peace*. The observers of this law, may be called SOCIABLE the Latins call them *commodi*; the contrary, *stubborn, insociable, froward, intractable*.

A sixth law of nature, is this *that upon caution of the future time, a man ought to pardon the offences past of them that repenting, desire it*. FOR PARDON, is nothing but granting of peace; which though granted to them that persevere in their hostility, be not peace, but fear; yet not granted to them that give caution of the future time, is sign of an aversion to peace; and therefore contrary to the law of nature.

A seventh is, *that in revenges*, that is, retribution of evil for evil, *men look not at the greatness of the evil past, but the greatness of the good to follow*. Whereby we are forbidden to inflict punishment with any other design, than for correction of the offender, or direction of others. For this law is consequent to the next before it, that commandeth pardon, upon security of the future time. Besides, revenge without respect to the example, and profit to come, is a triumph, or glorying in the hurt of another, tending to no end; for the end is always somewhat to come; and glorying to no end, is vainglory, and contrary to reason, and to hurt without reason, tendeth to the introduction of war; which is against the law of nature; and is commonly styled by the name of *cruelty*.

And because all signs of hatred, or contempt, provoke to fight; insomuch as most men choose rather to hazard their life, than not to be revenged; we may in the eighth place, for a law of nature, set down this precept, *that no man by deed, word, countenance, or gesture, declare hatred, or contempt of another*. The breach of which law, is commonly called *contumely*.

The question who is the better man, has no place in the condition of mere nature; where, as has been shewn before, all men are equal. The inequality that now is, has been introduced by the laws civil. I know that Aristotle in the first book of his *Politics*, for a foundation of his doctrine, maketh men by nature, some more worthy to command, meaning the wiser sort, such as he thought himself to be for his philosophy; others to serve, meaning those that had strong bodies, but were not philosophers as he; as if master and servant were not introduced by consent of men, but by difference of wit: which is not only against reason; but also against experience. For there are very few so foolish, that had not rather govern themselves, than be governed by others: nor when the wise in their own conceit, contend by force, with them who distrust their own wisdom, do they always, or often, or almost at any time,

get the victory. If nature therefore have made men equal, that equality is to be acknowledged: or if nature have made men unequal; yet because men that think themselves equal, will not enter into conditions of peace, but upon equal terms, such equality must be admitted. And therefore for the ninth law of nature, I put this, *that every man acknowledge another for his equal by nature.* The breach of this precept is *pride*.

On this law, dependeth another, *that at the entrance into conditions of peace, no man require to reserve to himself any right, which he is not content should be reserved to every one of the rest.* As it is necessary for all men that seek peace, to lay down certain rights of nature; that is to say, not to have liberty to do all they list: so is it necessary for man's life, to retain some; as right to govern their own bodies; enjoy air, water, motion, ways to go from place to place; and all things else, without which a man cannot live, or not live well. If in this case, at the making of peace, men require for themselves, that which they would not have to be granted to others, they do contrary to the precedent law, that commandeth the acknowledgment of natural equality, and therefore also against the law of nature. The observers of this law, are those we call *modest*, and the breakers *arrogant* men. The Greeks call the violation of this law *πλεονεξία*; that is, a desire of more than their share. . . .

And because, though men be never so willing to observe these laws, there may nevertheless arise questions concerning a man's action; first, whether it were done, or not done; secondly, if done, whether against the law, or not against the law; the former whereof, is called a question of *fact*; the latter a question of *right*, therefore unless the parties to the question, covenant mutually to stand to the sentence of another, they are as far from peace as ever. This other to whose sentence they submit is called an *ARBITRATOR*. And therefore it is of the law of nature, *that they that are at controversy, submit their right to the judgment of an arbitrator.*

And seeing every man is presumed to do all things in order to his own benefit, no man is a fit arbitrator in his own cause; and if he were never so fit; yet equity allowing to each party equal benefit, if one be admitted to be judge, the other is to be admitted also; and so the controversy, that is, the cause of war, remains, against the law of nature.

For the same reason no man in any cause ought to be received for arbitrator, to whom greater profit, or honour, or pleasure apparently ariseth out of the victory of one party, than of the other: for he hath taken, though an unavoidable bribe, yet a bribe; and no man can be obliged to trust him. And thus also the controversy, and the condition of war remaineth, contrary to the law of nature.

And in a controversy of *fact*, the judge being to give more credit to one,

than to the other, if there be no other arguments, must give credit to a third; or to a third and fourth; or more: for else the question is undecided, and left to force, contrary to the law of nature.

These are the laws of nature, dictating peace, for a means of the conservation of men in multitudes; and which only concern the doctrine of civil society. There be other things tending to the destruction of particular men; as drunkenness, and all other parts of intemperance; which may therefore also be reckoned amongst those things which the law of nature hath forbidden; but are not necessary to be mentioned, nor are pertinent enough to this place.

And though this may seem too subtle a deduction of the laws of nature, to be taken notice of by all men; whereof the most part are too busy in getting food, and the rest too negligent to understand; yet to leave all men inexcusable, they have been contracted into one easy sum, intelligible even to the meanest capacity; and that is, *Do not that to another, which thou wouldst not have done to thyself*; which sheweth him, that he has no more to do in learning the laws of nature, but, when weighing the actions of other men with his own, they seem too heavy, to put them into the other part of the balance, and his own into their place, that his own passions, and self-love, may add nothing to the weight; and then there is none of these laws of nature that will not appear unto him very reasonable.

The laws of nature oblige *in foro interno*; that is to say, they bind to a desire they should take place: but *in foro externo*; ⁴ that is, to the putting them in act, not always. For he that should be modest, and tractable, and perform all he promises, in such time, and place, where no man else should do so, should but make himself a prey to others, and procure his own certain ruin, contrary to the ground of all laws of nature, which tend to nature's preservation. And again, he that having sufficient security, that others shall observe the same laws towards him, observes them not himself, seeketh not peace, but war; and consequently the destruction of his nature by violence.

And whatsoever laws bind *in foro interno*, may be broken, not only by a fact contrary to the law, but also by a fact according to it, in case a man think it contrary. For though his action in this case, be according to the law; yet his purpose was against the law; which, where the obligation is *in foro interno*, is a breach.

The laws of nature are immutable and eternal; for injustice, ingratitude, arrogance, pride, iniquity, acception of persons, and the rest, can never be made lawful. For it can never be that war shall preserve life, and peace destroy it.

The same laws, because they oblige only to a desire, and endeavour, I mean

⁴ [These phrases refer to the *internal* and *external forum*, or *tribunal*.]

an unfeigned and constant endeavour, are easy to be observed. For in that they require nothing, but endeavour, he that endeavoureth their performance, fulfilleth them, and he that fulfilleth the law, is just.

And the science of them, is the true and only moral philosophy. For moral philosophy is nothing else but the science of what is *good*, and *evil*, in the conversation, and society of mankind. *Good*, and *evil*, are names that signify our appetites, and aversions; which in different tempers, customs, and doctrines of men, are different: and divers men, differ not only in their judgment, on the senses of what is pleasant, and unpleasant to the taste, smell, hearing, touch, and sight; but also of what is conformable, or disagreeable to reason, in the actions of common life. Nay, the same man, in divers times, differs from himself; and one time praiseth, that is, calleth good, what another time he dispraiseth, and calleth evil: from whence arise disputes, controversies, and at last war. And therefore so long as a man is in the condition of mere nature, which is a condition of war, his private appetite is the measure of good, and evil: and consequently all men agree on this, that peace is good, and therefore also the way, or means of peace, which, as I have shewed before, are *justice, gratitude, modesty, equity, mercy*, and the rest of the laws of nature, are good; that is to say; *moral virtues*; and their contrary *vices*, evil. Now the science of virtue and vice, is moral philosophy; and therefore the true doctrine of the laws of nature, is the true moral philosophy. But the writers of moral philosophy, though they acknowledge the same virtues and vices; yet not seeing wherein consisted their goodness; nor that they come to be praised, as the means of peaceable, sociable, and comfortable living, place them in a mediocrity of passions: as if not the cause, but the degree of darings, made fortitude; or not the cause, but the quantity of a gift, made liberality.

These dictates of reason, men used to call by the name of laws, but improperly: for they are but conclusions, or theorems concerning what conduceth to the conservation and defense of themselves; whereas law, properly, is the word of him, that by right hath command over others. But yet if we consider the same theorems, as delivered in the word of God, that by right commandeth all things; then are they properly called laws. . . .

CHAPTER XVIII: OF THE RIGHTS OF SOVEREIGNS BY INSTITUTION

A *commonwealth* is said to be *instituted*, when a *multitude* of men do agree, and *covenant, every one, with every one*, that to whatsoever *man*, or *assembly of men*, shall be given by the major part, the *right to present* the person of them all, that is to say, to be their *representative*; every one, as well he that *voted for it*, as he that *voted against it*, shall *authorize* all the actions and judgments, of that man, or assembly of men, in the same manner, as if they were

his own, to the end, to live peaceably amongst themselves, and be protected against other men.

From this institution of a commonwealth are derived all the *rights*, and *faculties* of him, or them, on whom sovereign power is conferred by the consent of the people assembled.

First, because they covenant, it is to be understood, they are not obliged by former covenant to anything repugnant hereunto. And consequently they that have already instituted a commonwealth, being thereby bound by covenant, to own the actions, and judgments of one, cannot lawfully make a new covenant, amongst themselves, to be obedient to any other, in any thing whatsoever, without his permission. And therefore, they that are subject to a monarch, cannot without his leave cast off monarchy, and return to the confusion of a disunited multitude; nor transfer their person from him that beareth it, to another man, or other assembly of men: for they are bound, every man to every man, to own, and be reputed author of all, that he that already is their sovereign, shall do, and judge fit to be done: so that any one man dissenting, all the rest should break their covenant made to that man, which is injustice: and they have also every man given the sovereignty to him that beareth their person; and therefore if they depose him, they take from him that which is his own, and so again it is injustice. Besides, if he that attempteth to depose his sovereign, be killed, or punished by him for such attempt, he is author of his own punishment, as being by the institution, author of all his sovereign shall do: and because it is injustice for a man to do anything, for which he may be punished by his own authority, he is also upon that title, unjust. And whereas some men have pretended for their disobedience to their sovereign, a new covenant, made, not with men, but with God; this also is unjust: for there is no covenant with God, but by mediation of somebody that representeth God's person; which none doth but God's lieutenant, who hath the sovereignty under God. But this pretence of covenant with God, is so evident a lie, even in the pretenders' own consciences, that it is not only an act of an unjust, but also of a vile and unmanly disposition.

Secondly, because the right of bearing the person of them all, is given to him they make sovereign, by covenant only of one to another, and not of him to any of them; there can happen no breach of covenant on the part of the sovereign; and consequently none of his subjects, by any pretence of forfeiture, can be freed from his subjection. That he which is made sovereign maketh no covenant with his subjects beforehand, is manifest; because either he must make it with the whole multitude, as one party to the covenant; or he must make a several covenant with every man. With the whole, as one party, it is

impossible; because as yet they are not one person: and if he make so many several covenants as there be men, those covenants after he hath the sovereignty are void; because what act soever can be pretended by any one of them for breach thereof, is the act both of himself, and of all the rest, because done in the person, and by the right of every one of them in particular. Besides, if any one, or more of them, pretend a breach of the covenant made by the sovereign at his institution; and others, or one other of his subjects, or himself alone, pretend there was no such breach, there is in this case, no judge to decide the controversy; it returns therefore to the sword again; and every man recovereth the right of protecting himself by his own strength, contrary to the design they had in the institution. It is therefore in vain to grant sovereignty by way of precedent covenant. The opinion that any monarch receiveth his power by covenant, that is to say, on condition, proceedeth from want of understanding this easy truth, that covenants being but words and breath, have no force to oblige, contain, constrain, or protect any man, but what it has from the public sword; that is, from the untied hands of that man, or assembly of men that hath the sovereignty, and whose actions are avouched by them all, and performed by the strength of them all, in him united. But when an assembly of men is made sovereign; then no man imagineth any such covenant to have passed in the institution; for no man is so dull as to say, for example, the people of Rome made a covenant with the Romans, to hold the sovereignty on such or such conditions; which not performed, the Romans might lawfully depose the Roman people. That men see not the reason to be alike in a monarchy, and in a popular government, proceedeth from the ambition of some, that are kinder to the government of an assembly, whereof they may hope to participate, than of monarchy, which they despair to enjoy.

Thirdly, because the major part hath by consenting voices declared a sovereign; he that dissented must now consent with the rest; that is, be contented to avow all the actions he shall do, or else justly be destroyed by the rest. For if he voluntarily entered into the congregation of them that were assembled, he sufficiently declared thereby his will, and therefore tacitly covenanted, to stand to what the major part should ordain: and therefore if he refuse to stand thereto, or make protestation against any of their decrees, he does contrary to his covenant, and therefore unjustly. And whether he be of the congregation, or not; and whether his consent be asked, or not, he must either submit to their decrees, or be left in the condition of war he was in before; wherein he might without injustice be destroyed by any man whatsoever.

Fourthly, because every subject is by this institution author of all the actions, and judgments of the sovereign instituted; it follows, that whatsoever he

doth, it can be no injury to any of his subjects; nor ought he to be by any of them accused of injustice. For he that doth anything by authority from another, doth therein no injury to him by whose authority he acteth: but by this institution of a commonwealth, every particular man is author of all the sovereign doth: and consequently he that complaineth of injury from his sovereign, complaineth of that whereof he himself is author; and therefore ought not to accuse any man but himself; no nor himself of injury; because to do injury to one's self, is impossible. It is true that they that have sovereign power may commit iniquity, but not injustice, or injury in the proper signification.

Fifthly, and consequently to that which was said last, no man that hath sovereign power can justly be put to death, or otherwise in any manner by his subjects punished. For seeing every subject is author of the actions of his sovereign; he punisheth another for the actions committed by himself.

And because the end of this institution, is the peace and defense of them all; and whosoever has right to the end, has right to the means; it belongeth of right, to whatsoever man, or assembly that hath the sovereignty, to be judge both of the means of peace and defense, and also of the hindrances, and disturbances of the same; and to do whatsoever he shall think necessary to be done, both beforehand, for the preserving of peace and security, by prevention of discord at home, and hostility from abroad; and, when peace and security are lost, for the recovery of the same. And therefore,

Sixthly, it is annexed to the sovereignty, to be judge of what opinions and doctrines are averse, and what conducing to peace; and consequently, on what occasions, how far, and what men are to be trusted withal, in speaking to multitudes of people; and who shall examine the doctrines of all books before they be published. For the actions of men proceed from their opinions; and in the well-governing of opinions, consisteth the well-governing of men's actions, in order to their peace, and concord. And though in matter of doctrine, nothing ought to be regarded but the truth; yet this is not repugnant to regulating the same by peace. For doctrine repugnant to peace, can no more be true, than peace and concord can be against the law of nature. It is true, that in a commonwealth, whereby the negligence, or unskilfulness of governors, and teachers, false doctrines are by time generally received; the contrary truths may be generally offensive. Yet the most sudden, and rough bursting in of a new truth, that can be, does never break the peace, but only sometimes awake the war. For those men that are so remissly governed, that they dare take up arms to defend, or introduce an opinion, are still in war; and their condition not peace, but only a cessation of arms for fear of one another; and they live, as it were, in the precincts of battle continually. It belongeth there-

and *unlawful* in the actions of subjects, are the civil laws; that is to say, the laws of each commonwealth in particular; though the name of civil law be now restrained to the ancient civil laws of the city of Rome; which being the head of a great part of the world, her laws at that time were in these parts the civil law.

Eighthly, is annexed to the sovereignty, the right of judicature; that is to say, of hearing and deciding all controversies, which may arise concerning law, either civil, or natural; or concerning fact. For without the decision of controversies, there is no protection of one subject, against the injuries of another; the laws concerning *meum* and *tuum* are in vain; and to every man remaineth, from the natural and necessary appetite of his own conservation, the right of protecting himself by his private strength, which is the condition of war, and contrary to the end for which every commonwealth is instituted.

Ninthly, is annexed to the sovereignty, the right of making war and peace with other nations, and commonwealths; that is to say, of judging when it is for the public good, and how great forces are to be assembled, armed, and paid for that end; and to levy money upon the subjects, to defray the expenses thereof. For the power by which the people are to be defended, consisteth in their armies; and the strength of an army, in the union of their strength under one command; which command the sovereign instituted, therefore hath; because the command of the *militia*, without other institution, maketh him that hath it sovereign. And therefore whosoever is made general of an army, he that hath the sovereign power is always generalissimo.

Tenthly, is annexed to the sovereignty, the choosing of all counsellors, ministers, magistrates, and officers, both in peace and war. For seeing the sovereign is charged with the end, which is the common peace and defense, he is understood to have power to use such means, as he shall think most fit for his discharge.

Eleventhly, to the sovereign is committed the power of rewarding with peace. These rules of propriety, or *meum* and *tuum*,⁵ and of *good*, *evil*, *lawful*, fore to him that hath the sovereign power, to be judge, or constitute all judges of opinions and doctrines, as a thing necessary to peace; thereby to prevent discord and civil war.

Seventhly, is annexed to the sovereignty, the whole power of prescribing the rules, whereby every man may know, what goods he may enjoy, and what actions he may do, without being molested by any of his fellow-subjects; and this is it men call *propriety*. For before constitution of sovereign power, as hath already been shown, all men had right to all things; which necessarily causeth war: and therefore this propriety, being necessary to peace, and depending on sovereign power, is the act of that power, in order to the public

riches, or honour, and of punishing with corporal or pecuniary punishment, or with ignominy, every subject according to the law he hath formerly made; or if there be no law made, according as he shall judge most to conduce to the encouraging of men to serve the commonwealth, or deterring of them from doing disservice to the same.

Lastly, considering what value men are naturally apt to set upon themselves; what respect they look for from others; and how little they value other men; from whence continually arise amongst them, emulation, quarrels, factions, and at last war, to the destroying of one another, and diminution of their strength against a common enemy; it is necessary that there be laws of honour, and a public rate of the worth of such men as have deserved, or are able to deserve well of the commonwealth; and that there be force in the hands of some or other, to put those laws in execution. But it hath already been shown, that not only the whole *militia*, or forces of the commonwealth; but also the judicature of all controversies, is annexed to the sovereignty. To the sovereign therefore it belongeth also to give titles of honour; and to appoint what order of place, and dignity, each man shall hold; and what signs of respect, in public or private meetings, they shall give to one another.

These are the rights, which make the essence of sovereignty; and which are the marks, whereby a man may discern in what man, or assembly of men, the sovereign power is placed, and resideth. For these are incommunicable, and inseparable. The power to coin money; to dispose of the estate and persons of infant heirs; to have præemption in markets; and all other statute prerogatives, may be transferred by the sovereign; and yet the power to protect his subjects be retained. But if he transfer the *militia*, he retains the judicature in vain, for want of execution of the laws; or if he grant away the power of raising money; the *militia* is in vain; or if he give away the government of doctrines, men will be frightened into rebellion with the fear of spirits. And so if we consider any one of the said rights, we shall presently see, that the holding of all the rest will produce no effect, in the conservation of peace and justice, the end for which all commonwealths are instituted. And this division is it, whereof it is said, a *kingdom divided in itself cannot stand*: for unless this division precede, division into opposite armies can never happen. If there had not first been an opinion received of the greatest part of England, that these powers were divided between the King, and the Lords, and the House of Commons, the people had never been divided and fallen into this civil war; first between those that disagreed in politics; and after between the dissenters about the liberty of religion; which have so instructed men in this point of sovereign right, and there be few now in England that do not see, that these rights are inseparable, and will be so generally acknowledged at

the next return of peace; and so continue, till their miseries are forgotten; and no longer, except the vulgar be better taught than they have hitherto been.

And because they are essential and inseparable rights, it follows necessarily, that in whatsoever words any of them seem to be granted away, yet if the sovereign power itself be not in direct terms renounced, and the name of sovereign no more given by the grantees to him that grants them, the grant is void: for when he has granted all he can, if we grant back the sovereignty, all is restored, as inseparably annexed thereunto.

This great authority being indivisible, and inseparably annexed to the sovereignty, there is little ground for the opinion of them, that say of sovereign kings, though they be *singulis majores*, of greater power than every one of their subjects, yet they be *universis minores*, of less power than them all together. For if by *all together*, they mean not the collective body as one person, then *all together*, and *every one*, signify the same; and the speech is absurd. But if by *all together*, they understand them as one person, which person the sovereign bears, then the power of all together, is the same with the sovereign's power; and so again the speech is absurd: which absurdity they see well enough, when the sovereignty is in an assembly of the people; but in a monarch they see it not; and yet the power of sovereignty is the same in whomsoever it be placed.

And as the power, so also the honour of the sovereign, ought to be greater, than that of any, or all the subjects. For in the sovereignty is the fountain of honour. The dignities of lord, earl, duke, and prince are his creatures. As in the presence of the master, the servants are equal, and without any honour at all; so are the subjects, in the presence of the sovereign. And though they shine some more, some less, when they are out of his sight; yet in his presence, they shine no more than the stars in the presence of the sun.

But a man may here object, that the condition of subjects is very miserable; as being obnoxious to the lusts, and other irregular passions of him, or them that have so unlimited a power in their hands. And commonly they that live under a monarch, think it the fault of monarchy; and they that live under the government of democracy, or other sovereign assembly, attribute all the inconvenience to that form of commonwealth; whereas the power in all forms, if they be perfect enough to protect them, is the same: not considering that the state of man can never be without some incommmodity or other; and that the greatest, that in any form of government can possibly happen to the people in general, is scarce sensible, in respect to the miseries, and horrible calamities, that accompany a civil war, or that dissolute condition of masterless men, without subjection to laws, and a coercive power to tie their hands from rapine and revenge: nor considering that the greatest pressure of sover-

eign governors, proceedeth not from any delight, or profit they can expect in the damage or weakening of their subjects, in whose vigour consisteth their own strength and glory; but in the restiveness of themselves, that unwillingly contributing to their own defense, make it necessary for their governors to draw from them what they can in time of peace, that they may have means on any emergent occasion, or sudden need, to resist, or take advantage on their enemies. For all men are by nature provided of notable multiplying glasses, that is their passions and self-love, through which, every little payment appeareth a great grievance; but are destitute of those prospective glasses, namely moral and civil science, to see afar off the miseries that hang over them, and cannot without such payment be avoided. . . .

CHAPTER XXI: OF THE LIBERTY OF SUBJECTS

Liberty, or freedom, signifieth, properly, the absence of opposition; by opposition, I mean external impediments of motion; and may be applied no less to irrational, and inanimate creatures, than to rational. For whatsoever is so tied, or environed, as it cannot move but within a certain space, which space is determined by the opposition of some external body, we say it hath not liberty to go further. And so of all living creatures, whilst they are imprisoned, or restrained, with walls, or chains; and of the water whilst it is kept in by banks, or vessels, that otherwise would spread itself into a larger space, we use to say, they are not at liberty, to move in such manner, as without those external impediments they would. But when the impediment of motion, is in the constitution of the thing itself, we use not to say; it wants the liberty; but the power to move; as when a stone lieth still, or a man is fastened to his bed by sickness.

And according to this proper, and generally received meaning of the word, a FREEMAN, *is he, that in those things, which by his strength and wit he is able to do, is not hindered to do what he has a will to.* But when the words *free*, and *liberty*, are applied to any thing but bodies, they are abused; for that which is not subject to motion is not subject to impediment: and therefore, when it is said, for example, the way is free, no liberty of the way is signified, but of those that walk in it without stop. And when we say a gift is free, there is not meant any liberty of the gift, but of the giver, that was not bound by any law or covenant to give it. So when we *speak freely*, it is not the liberty of voice, or pronounciation, but of the man, whom no law hath obliged to speak otherwise than he did. Lastly, from the use of the word *free-will*, no liberty can be inferred of the will, desire, or inclination, but the liberty of the man; which consisteth in this, that he finds no stop, in doing what he has the will, desire, or inclination to do:

Fear and liberty are consistent; as when a man throweth his goods into the sea for *fear* the ship should sink, he doth it nevertheless very willingly, and may refuse to do it if he will; it is therefore the action of one that was *free*: so a man sometimes pays his debt, only for *fear* of imprisonment, which because nobody hindered him from detaining, was the action of a man at *liberty*. And generally all actions which men do in commonwealths, for *fear* of the law, are actions, which the doers had *liberty* to omit.

Liberty, and *necessity* are consistent: as in the water, that hath not only *liberty*, but a *necessity* of descending by the channel; so likewise in the actions which men voluntarily do: which, because they proceed from their will, proceed from *liberty*; and yet, because every act of man's will, and every desire, and inclination proceedeth from some cause, and that from another cause, in a continual chain, whose first link is in the hand of God the first of all causes, proceed from *necessity*. So that to him that could see the connexion of those causes, the *necessity* of all men's voluntary actions, would appear manifest. And therefore God, that seeth, and disposeth all things, seeth also that the liberty of man in doing what he will, is accompanied with the *necessity* of doing that which God will, and no more, nor less. For though men may do many things, which God does not command, nor is therefore author of them; yet they can have no passion, nor appetite to anything, of which appetite God's will is not the cause. And did not his will assure the *necessity* of man's will, and consequently of all that on man's will dependeth, the *liberty* of men would be a contradiction, and impediment to the omnipotence and *liberty* of God. And this shall suffice, as to the matter in hand, of that natural *liberty*, which only is properly called *liberty*.

But as men, for the attaining of peace, and conservation of themselves thereby, have made an artificial man, which we call a commonwealth; so also have they made artificial chains, called *civil laws*, which they themselves, by mutual covenants, have fastened at one end, to the lips of that man, or assembly, to whom they have given the sovereign power; and at the other end to their own ears. These bonds, in their own nature but weak, may nevertheless be made to hold, by the danger, though not by the difficulty of breaking them.

In relation to these bonds only it is, that I am to speak now, of the *liberty* of *subjects*. For seeing there is no commonwealth in the world, wherein there be rules enough set down, for the regulating of all the actions, and words of men; as being a thing impossible: it followeth necessarily, that in all kinds of actions by the laws praetermitted, men have the liberty, of doing what their own reasons shall suggest, for the most profitable to themselves. For if we take liberty in the proper sense, for corporal liberty; that is to say, freedom from

chains and prison; it were very absurd for men to clamour as they do, for the liberty they so manifestly enjoy. Again, if we take liberty, for an exemption from laws, it is no less absurd, for men to demand as they do, that liberty, by which all other men may be masters of their lives. And yet, as absurd as it is, this is it they demand; not knowing that the laws are of no power to protect them, without a sword in the hands of a man, or men, to cause those laws to be put in execution. The liberty of a subject, lieth therefore only in those things, which in regulating their actions, the sovereign hath praetermitted: such as is the liberty to buy, and sell, and otherwise contract with one another; to choose their own abode, their own diet, their own trade of life, and institute their children as they themselves think fit; and the like.

Nevertheless we are not to understand, that by such liberty, the sovereign power of life and death, is either abolished, or limited. For it has been already shown, that nothing the sovereign representative can do to a subject, on what pretence soever, can properly be called injustice, or injury; because every subject is author of every act the sovereign doth; so that he never wanteth right to any thing, otherwise, than as he himself is the subject of God, and bound thereby to observe the laws of nature. And therefore it may, and doth often happen in commonwealths, that a subject may be put to death, by the command of the sovereign power; and yet neither do the other wrong; as when Jephtha caused his daughter to be sacrificed: in which, and the like cases, he that so dieth, had liberty to do the action, for which he is nevertheless, without injury put to death. And the same holdeth also in a sovereign prince, that putteth to death an innocent subject. For though the action be against the law of nature, as being contrary to equity, as was the killing of Uriah, by David; yet it was not an injury to Uriah, but to God. Not to Uriah, because the right to do what he pleased was given him by Uriah himself: and yet to God, because David was God's subject, and prohibited all iniquity by the law of nature. . . .

The liberty, whereof there is so frequent and honourable mention, in the histories, and philosophy of the ancient Greeks, and Romans, and in the writings, and discourse of those that from them have received all their learning in the politics, is not the liberty of particular men; but the liberty of the commonwealth: which is the same with that which every man then should have, if there were no civil laws, nor commonwealth at all. And the effects of it also be the same. For as amongst masterless men, there is perpetual war, of every man against his neighbor; no inheritance, to transmit to the son, nor to expect from the father; no propriety of goods, or lands; no security; but a full and absolute liberty in every particular man: so in states, and commonwealths not dependent on one another, every commonwealth, not every man,

has an absolute liberty, to do what it shall judge, that is to say, what that man, or assembly that representeth it, shall judge most conducing to their benefit. But withal, they live in the condition of a perpetual war, and upon the confines of battle, with their frontiers armed, and cannons planted against their neighbors round about. The Athenians, and Romans were free; that is, free commonwealths: not that any particular men had the liberty to resist their own representative; but that their representative had the liberty to resist, or invade other people. There is written on the turrets of the city of Lucca in great characters at this day, the word *LIBERTAS*; yet no man can thence infer, that a particular man has more liberty, or immunity from the service of the commonwealth there, than in Constantinople. Whether a commonwealth be monarchical, or popular, the freedom is still the same.

But it is an easy thing, for men to be deceived, by the specious name of liberty; and for want of judgment to distinguish, mistake that for their private inheritance, and birth-right, which is the right of the public only. And when the same error is confirmed by the authority of men in reputation for their writings on this subject, it is no wonder if it produce sedition, and change of government. In these western parts of the world, we are made to receive our opinions concerning the institution, and rights of commonwealths, from Aristotle, Cicero, and other men, Greeks and Romans, that living under popular states, derived those rights, not from the principles of nature, but transcribed them into their books, out of the practice of their own commonwealths, which were popular; as the grammarians describe the rules of language, out of the practice of the time; or the rules of poetry, out of the poems of Homer and Virgil. And because the Athenians were taught, to keep them from desire of changing their government, that they were freemen, and all that lived under monarchy were slaves; therefore Aristotle puts it down in his *Politics*, (*lib. 6. cap. ii.*) *In democracy, LIBERTY is to be supposed: for it is commonly held, that no man is FREE in any other government.* And as Aristotle; so Cicero, and other writers have grounded their civil doctrine, on the opinions of the Romans, who were taught to hate monarchy, at first, by them that having deposed their sovereign; shared amongst them the sovereignty of Rome; and afterwards by their successors. And by reading of these Greek, and Latin authors, men from their childhood have gotten a habit, under a false show of liberty, of favouring tumults, and of licentious controlling the actions of their sovereigns, and again of controlling those controllers; with the effusion of so much blood, as I think I may truly say, there was never any thing so dearly bought, as these western parts have bought the learning of the Greek and Latin tongues.

To come now to the particulars of the true liberty of a subject; that is to

say, what are the things, which though commanded by the sovereign, he may nevertheless, without injustice, refuse to do; we are to consider, what rights we pass away, when we make a commonwealth; or, which is all one, what liberty we deny ourselves, by owning all the actions, without exception, of the man, or assembly, we make our sovereign. For in the act of our *submission*, consisteth both our *obligation*, and our *liberty*; which must therefore be inferred by arguments taken from thence; there being no obligation on any man, which ariseth not from some act of his own; for all men equally, are by nature free. And because such arguments, must either be drawn from the express words, *I authorize all his actions*, or from the intention of him that submitteth himself to his power, which intention is to be understood by the end for which he so submitteth; the obligation, and liberty of the subject, is to be derived, either from those words, or others equivalent; or else from the end of the institution of sovereignty, namely, the peace of the subjects within themselves, and their defense against a common enemy.

First therefore, seeing sovereignty by institution, is by covenant of every one to every one; and sovereignty by acquisition, by covenants of the vanquished to the victor, or child to the parent; it is manifest, that every subject has liberty in all those things, the right whereof cannot by covenant be transferred. I have shewn before in the 14th chapter, that covenants, not to defend a man's own body, are void. Therefore,

If the sovereign command a man, though justly condemned, to kill, wound, or maim himself; or not to resist those that assault him; or to abstain from the use of food, air, medicine, or any other thing, without which he cannot live; yet hath that man the liberty to disobey.

If a man be interrogated by the sovereign, or his authority, concerning a crime done by himself, he is not bound, without assurance of pardon, to confess it; because no man . . . can be obliged by covenant to accuse himself.

Again, the consent of a subject to sovereign power, is contained in these words, *I authorize, or take upon me, all his actions*; in which there is no restriction at all, of his own former natural liberty: for by allowing him to *kill* me, I am not bound to kill myself when he commands me. It is one thing to say, *kill me, or my fellow, if you please*; another thing to say, *I will kill myself, or my fellow*. It followeth therefore, that

No man is bound by the words themselves, either to kill himself, or any other man; and consequently, that the obligation a man may sometimes have, upon the command of the sovereign to execute any dangerous, or dishonourable office, dependeth not on the words of our submission; but on the intention, which is to be understood by the end thereof. When therefore

our refusal to obey, frustrates the end for which the sovereignty was ordained; then there is no liberty to refuse: otherwise there is.

Upon this ground, a man that is commanded as a soldier to fight against the enemy, though his sovereign have right enough to punish his refusal with death, may nevertheless in many cases refuse, without injustice; as when he substituteth a sufficient soldier in his place: for in this case he deserteth not the service of the commonwealth. And there is allowance to be made for natural timorousness; not only to women, of whom no such dangerous duty is expected, but also to men of feminine courage. When armies fight, there is on one side, or both, a running away; yet when they do it not out of treachery, but fear, they are not esteemed to do it unjustly, but dishonourably. For the same reason, to avoid battle, is not injustice, but cowardice. But he that inrolleth himself a soldier, or taketh imprest money, taketh away the excuse of a timorous nature; and is obliged, not only to go to the battle, but also not to run from it, without his captain's leave. And when the defense of the commonwealth, required at once the help of all that are able to bear arms, every one is obliged; because otherwise the institution of the commonwealth, which they have not the purpose, or courage to preserve, was in vain.

To resist the sword of the commonwealth, in defense of another man, guilty, or innocent, no man hath liberty; because such liberty, takes away from the sovereign, the means of protecting us; and is therefore destructive of the very essence of government. But in case a great many men together, have already resisted the sovereign power unjustly, or committed some capital crime, for which every one of them expecteth death, whether have they not the liberty then to join together, and assist, and defend one another? Certainly they have: for they but defend their lives, which the guilty man may as well do, as the innocent. There was indeed injustice in the first breach of their duty; their bearing of arms subsequent to it, though it be to maintain what they have done, is no new unjust act. And if it be only to defend their persons, it is not unjust at all. But the offer of pardon taketh from them, to whom it is offered, the plea of self-defense, and maketh their perseverance in assisting, or defending the rest, unlawful.

As for other liberties, they depend on the silence of the law. In cases where the sovereign has prescribed no rule, there the subject hath the liberty to do, or forbear, according to his own discretion. And therefore such liberty is in some places more, and in some less; and in some times more, in other times less, according as they that have the sovereignty shall think most convenient. As for example, there was a time, when in England a man might enter into his own land, and dispossess such as wrongfully possessed it, by force. But in after times, that liberty of forcible entry, was taken away by a statute made,

by the king, in parliament. And in some places of the world, men have the liberty of many wives: in other places, such liberty is not allowed.

If a subject have a controversy with his sovereign, of debt, or of right of possession of lands or goods, or concerning any service required at his hands, or concerning any penalty, corporal, or pecuniary, grounded on a precedent law; he hath the same liberty to sue for his right, as if it were against a subject; and before such judges, as are appointed by the sovereign. For seeing the sovereign demandeth by force of a former law, and not by virtue of his power; he declareth thereby, that he requireth no more, than shall appear to be due by that law. The suit therefore is not contrary to the will of the sovereign; and consequently the subject hath the liberty to demand the hearing of his cause; and sentence, according to that law. But if he demand, or take anything by pretence of his power; there lieth, in that case, no action of law; for all that is done by him in virtue of his power, is done by the authority of every subject, and consequently he that brings an action against the sovereign, brings it against himself.

If a monarch, or sovereign assembly, grant a liberty to all, or any of his subjects, which grant standing, he is disabled to provide for their safety, the grant is void; unless he directly renounce, or transfer the sovereignty to another. For in that he might openly, if it had been his will, and in plain terms, have renounced, or transferred it, and did not; it is to be understood it was not his will, but that the grant proceeded from ignorance of the repugnancy between such a liberty and the sovereign power; and therefore the sovereignty is still retained; and consequently all those powers, which are necessary to the exercising thereof; such as are the power of war, and peace, of judicature, of appointing officers, and councillors, of levying money, and the rest named in the 18th chapter.

The obligation of subjects to the sovereign, is understood to last as long, and no longer, than the power lasteth, by which he is able to protect them. For the right men have by nature to protect themselves, when none else can protect them, can by no covenant be relinquished. The sovereignty is the soul of the commonwealth; which once departed from the body, the members do no more receive their motion from it. The end of obedience is protection; which, wheresoever a man seeth it, either in his own, or in another's sword, nature applieth his obedience to it, and his endeavour to maintain it. And though sovereignty, in the intention of them that make it, be immortal; yet it is in its own nature, not only subject to violent death, by foreign war; but also through the ignorance, and passions of men, it hath in it, from the very institution, many seeds of a natural mortality, by intestine discord.

If a subject be taken prisoner in war; or his person or his means of life be

within the guards of the enemy, and hath his life and corporal liberty given him, on condition to be subject to the victor, he hath liberty to accept the condition; and having accepted it, is the subject of him that took him; because he had no other way to preserve himself. The case is the same, if he be detained on the same terms, in a foreign country. But if a man be held in prison, or bonds, or is not trusted with the liberty of his body; he cannot be understood to be bound by covenant to subjection; and therefore may, if he can, make his escape by any means whatsoever.

If a monarch shall relinquish the sovereignty, both for himself, and his heirs; his subjects return to the absolute liberty of nature; because, though nature may declare who are his sons, and who are the nearest of his kin; yet it dependeth on his own will, as hath been said in the precedent chapter, who shall be his heir. If therefore he will have no heir, there is no sovereignty, nor subjection. The case is the same, if he die without known kindred, and without declaration of his heir. For then there can no heir be known, and consequently no subjection be due.

If the sovereign banish his subject; during the banishment, he is not subject. But he that is sent on a message, or hath leave to travel, is still subject; but it is, by contract between sovereigns, not by virtue of the covenant of subjection. For whosoever entereth into another's dominion, is subject to all the laws thereof; unless he have a privilege of the amity of the sovereigns, or by special licence.

If a monarch subdued by war, render himself subject to the victor; his subjects are delivered from their former obligation, and become obliged to the victor. If he be held prisoner, or have not the liberty of his own body; he is not understood to have given away the right of sovereignty; and therefore his subjects are obliged to yield obedience to the magistrates formerly placed, governing not in their own name, but in his. For, his right remaining, the question is only of the administration; that is to say, of the magistrates and officers; which, if he have not means to name, he is supposed to approve those, which he himself had formerly appointed.

JAMES HARRINGTON

AMONG THE BOOKS which came out of the Puritan Revolution, the most philosophical was *The Commonwealth of Oceana* (1656), by James Harrington (1611-77). Harrington's political ideal was a republican form of government under aristocratic auspices. Nevertheless, he was personally loyal to Charles I, and attended him during his captivity and until his execution. While Harrington's *Oceana* was written in the form of a Utopian treatise, *Oceana* was obviously England, and the various figures in it were unmistakably contemporaries and compatriots of Harrington. The book was obviously intended to exert an influence in the politics of the time. Addressed to Oliver Cromwell, its Utopian form was adopted, perhaps, in the attempt to avoid the censorship.

Harrington's analysis of political events was distinguished by its introduction of the original idea that the form of government possible for a country depends upon the distribution of property, especially real estate. This economic explanation was employed by Harrington to interpret the Puritan Revolution, and he rightly saw that the decisive social change of his day was the increasing numbers and power of a middle class with its basic wealth in the land. For the establishment of a just commonwealth and for its proper administration, the proper adjustment of economic "power" to the "authority" of prudence and the "goods of the mind" was necessary. "The legislator that can unite in his government intellectual powers with those of fortune, comes nearest to the work of God."

As had none of his predecessors in political philosophy (with the exception of Aristotle), Harrington emphasized that government required the coincidence of economic and political powers. As a consequence of this highly original approach, he saw that the "empire of laws and not of men" could not rest simply on a constitution, but on a constitution and laws so devised as to distribute property in the way favorable to this form of government.

Harrington did, however, make much of certain administrative devices which would make rule for the common good more secure. Outstanding among these were the rotation of office, election by ballot, and the separation of powers—practices which are now classic in constitutional governments.

Harrington was one of the most characteristic of those who used classic models as instruments for the criticism of contemporary society. He admired Hobbes but spent most of his time criticizing from the point of view of a social economist that thinker's narrowly legalistic approach. He looked up to Machiavelli as the very image among modern writers of that "ancient prudence" which governed for the common good, and it was this ideal he hoped to restore.

Harrington's significance during the course of the Puritan Revolution was not nearly so great as it was during and after the American Revolution. John Adams was but one of his disciples. The practical devices which he suggested, such as a written constitution, the use of elections, and the separation of powers, were all incorporated into the structure of American government. The French Revolution, at least in its first phase, came under his influence also; and in England, by the

nineteenth century, the Philosophic Radicals had succeeded in getting some of his practical ideas (for example, the ballot) established.



THE COMMONWEALTH OF OCEANA

. . . GOVERNMENT (to define it *de jure*, or according to ancient prudence) is an art whereby a civil society of men is instituted and preserved upon the foundation of common right or interest; or, to follow Aristotle and Livy, it is the empire of laws, and not of men.

And government (to define it *de facto*, or according to modern prudence) is an art whereby some man, or some few men, subject a city or a nation, and rule it according to his or their private interest; which, because the laws in such cases are made according to the interest of a man, or of some families, may be said to be the empire of men, and not of laws.

The former kind is that which Machiavel (whose books are neglected) is the only politician that has gone about to retrieve; and that Leviathan (who would have his book imposed upon the universities) goes about to destroy. For "it is," says he, "another error of Aristotle's politics that in a well-ordered commonwealth not men should govern, but the laws. What man that has his natural senses, though he can neither write nor read, does not find himself governed by them he fears, and believes can kill or hurt him when he obeys not? Or, who believes that the law can hurt him, which is but words and paper, without the hands and swords of men?" I confess that the magistrate upon his bench is that to the law which a gunner upon his platform is to his cannon. Nevertheless, I should not dare to argue with a man of any ingenuity after this manner. A whole army, though they can neither write nor read, are not afraid of a platform, which they know is but earth or stone; nor of a cannon, which, without a hand to give fire to it, is but cold iron; therefore a whole army is afraid of one man. But of this kind is the ratiocination of Leviathan, as I shall show in divers places that come in my way, throughout his whole politics, or worse; as where he says, "Of Aristotle and of Cicero, of the Greeks, and of the Romans, who lived under popular States, that they derived those rights not from the principles of Nature, but transcribed them into their books out of the practice of their own commonwealths, as grammarians describe the rules of language out of poets." Which is as if a man should tell famous Harvey that he transcribed his circulation of the blood not out of the principles of Nature, but out of the anatomy of this or that body. . . .

Government, according to the ancients, and their learned disciple Machiavel, the only politician of later ages, is of three kinds: the government of one man, or of the better sort, or of the whole people; which, by their more learned names, are called monarchy, aristocracy, and democracy. These they hold, though their proneness to degenerate, to be all evil. For whereas they that govern should govern according to reason, if they govern according to passion they do that which they should not do. Wherefore, as reason and passion are two things, so government by reason is one thing, and the corruption of government by passion is another thing, but not always another government: as a body that is alive is one thing, and a body that is dead is another thing, but not always another creature, though the corruption of one comes at length to be the generation of another. The corruption then of monarchy is called tyranny; that of aristocracy, oligarchy; and that of democracy, anarchy. But legislators, having found these three governments at the best to be naught, have invented another, consisting of a mixture of them all, which only is good. This is the doctrine of the ancients.

But Leviathan is positive that they are all deceived, and that there is no other government in Nature than one of the three; as also that the flesh of them cannot stink, the names of their corruptions being but the names of men's fancies, which will be understood when we are shown which of them was *Senatus Populusque Romanus*.¹

To go my own way, and yet to follow the ancients, the principles of government are twofold: internal, or the goods of the mind; and external, or the goods of fortune. The goods of the mind are natural or acquired virtues, as wisdom, prudence, and courage, &c. The goods of fortune are riches. There be goods also of the body, as health, beauty, strength; but these are not to be brought into account upon this score, because if a man or an army acquires victory or empire, it is more from their discipline, arms, and courage than from their natural health, beauty, or strength, in regard that a people conquered may have more of natural strength, beauty and health, and yet find little remedy. The principles of government then are in the goods of the mind, or in the goods of fortune. To the goods of the mind answers authority; to the goods of fortune, power or empire. Wherefore Leviathan, though he be right where he says that "riches are power," is mistaken where he says that "prudence, or the reputation of prudence, is power;" for the learning or prudence of a man is no more power than the learning or prudence of a book or author, which is properly authority. A learned writer may have authority though he has no power; and a foolish magistrate may have power, though he

¹ [*The Senate and the Roman People*. This formula (often abbreviated as SPQR) was used to express the ultimate source of Roman authority.]

has otherwise no esteem or authority. The difference of these two is observed by Livy in Evander, of whom he says that he governed rather by the authority of others than by his own power.

To begin with riches, in regard that men are hung upon these, not of choice as upon the other, but of necessity and by the teeth; forasmuch as he who wants bread is his servant that will feed him, if a man thus feeds a whole people, they are under his empire.

Empire is of two kinds, domestic and national, or foreign and provincial.

Domestic empire is founded upon dominion.

Dominion is property, real or personal; that is to say, in lands, or in money and goods.

Lands, or the parts and parcels of a territory, are held by the proprietor or proprietors, lord or lords of it, in some proportion; and such (except it be in a city that has little or no land, and whose revenue is in trade) as is the proportion or balance of dominion or property in land, such is the nature of the empire.

If one man be sole landlord of a territory, or overbalance the people, for example, three parts in four, he is Grand Seignior; for so the Turk is called from his property, and his empire is absolute monarchy.

If the few or a nobility, or a nobility with the clergy, be landlords, or overbalance the people to the like proportion, it makes the Gothic balance (to be shown at large in the second part of this discourse), and the empire is mixed monarchy, as that of Spain, Poland, and late of Oceana.

And if the whole people be landlords, or hold the lands so divided among them that no one man, or number of men, within the compass of the few or aristocracy, overbalance them, the empire (without the interposition of force) is a commonwealth.

If force be interposed in any of these three cases, it must either frame the government to the foundation, or the foundation to the government; or holding the government not according to the balance, it is not natural, but violent; and therefore if it be at the devotion of a prince, it is tyranny; if at the devotion of the few, oligarchy; or if in the power of the people, anarchy. Each of which confusions, the balance standing otherwise, is but of short continuance, because against the nature of the balance, which, not destroyed, destroys that which opposes it.

But there be certain other confusions, which, being rooted in the balance, are of longer continuance, and of worse consequence; as, first, where a nobility holds half the property, or about that proportion, and the people the other half; in which case, without altering the balance there is no remedy but the one must eat out the other, as the people did the nobility in Athens, and the

nobility the people in Rome. Secondly, when a prince holds about half the dominion, and the people the other half (which was the case of the Roman emperors, planted partly upon their military colonies, and partly upon the senate and the people), the government becomes a very shambles, both of the princes and the people. Somewhat of this nature are certain governments at this day, which are said to subsist by confusion. In this case, to fix the balance, is to entail misery; but in the three former, not to fix it, is to lose the government. Wherefore it being unlawful in Turkey that any should possess land but the Grand Seignior, the balance is fixed by the law, and that empire firm. Nor, though the kings often sell, was the throne of Oceana known to shake, until the statute of alienations broke the pillars, by giving way to the nobility to sell their estates. While Lacedemon held to the division of land made by Lycurgus, it was immovable; but, breaking that, could stand no longer. This kind of law fixing the balance in lands is called Agrarian, and was first introduced by God himself, who divided the land of Canaan to His people by lots, and is of such virtue, that wherever it has held that government has not altered, except by consent; as in that unparalleled example of the people of Israel, when being in liberty they would needs choose a king. But without an Agrarian law, government, whether monarchical, aristocratical, or popular, has no long lease.

As for dominion, personal or in money, it may now and then stir up a Melius or a Manlius, which, if the commonwealth be not provided with some kind of dictatorial power, may be dangerous, though it has been seldom or never successful; because to property producing empire, it is required that it should have some certain root or foothold, which, except in land, it cannot have, being otherwise as it were upon the wing.

Nevertheless, in such cities as subsist mostly by trade, and have little or no land, as Holland and Genoa, the balance of treasure may be equal to that of land in the cases mentioned.

But Leviathan, though he seems to skew at antiquity, following his furious master Carneades, has caught hold of the public sword, to which he reduces all manner and matter of government; as, where he affirms this opinion [that any monarch receives his power by covenant, that is to say, upon conditions] "to proceed from the not understanding this easy truth, that covenants being but words and breath, have no power to oblige, contain, constrain, or protect any man, but what they have from the public sword." But as he said of the law, that without this sword it is but paper, so he might have thought of this sword, that without a hand it is but cold iron. The hand which holds this sword is the militia of a nation; and the militia of a nation is either an army in the field, or ready for the field upon occasion. But an army is a beast that

has a great belly, and must be fed: wherefore this will come to what pastures you have, and what pastures you have will come to the balance of property, without which the public sword is but a name or mere spitfrog. Wherefore, to set that which Leviathan says of arms and of contracts a little straighter, he that can graze this beast with the great belly, as the Turk does his Timariots, may well deride him that imagines he received his power by covenant, or is obliged to any such toy: it being in this case only that covenants are but words and breath. But if the property of the nobility, stocked with their tenants and retainers, be the pasture of that beast, the ox knows his master's crib; and it is impossible for a king in such a constitution to reign otherwise than by covenant; or if he break it, it is words that come to blows.

"But," says he, "when an assembly of men is made sovereign, then no man imagines any such covenant to have part in the institution." But what was that by Publicola of appeal to the people, or that whereby the people had their tribunes? "Fie," says he, "nobody is so dull as to say that the people of Rome made a covenant with the Romans, to hold the sovereignty on such or such conditions, which, not performed, the Romans might depose the Roman people." In which there be several remarkable things; for he holds the commonwealth of Rome to have consisted of one assembly, whereas it consisted of the senate and the people; that they were not upon covenant, whereas every law enacted by them was a covenant between them; that the one assembly was made sovereign, whereas the people, who only were sovereign, were such from the beginning as appears by the ancient style of their covenants or laws—"The senate has resolved, the people have decreed;" that a council being made sovereign, cannot be made such upon conditions, whereas the Decemvirs being a council that was made sovereign, was made such upon conditions; that all conditions or covenants making a sovereign, the sovereign being made, are void; whence it must follow that, the Decemviri being made, were ever after the lawful government of Rome, and that it was unlawful for the commonwealth of Rome to depose the Decemvirs; as also that Cicero, if he wrote otherwise out of his commonwealth, did not write out of nature. But to come to others that see more of this balance.

You have Aristotle full of it in divers places, especially where he says, that "immoderate wealth, as where one man or the few have greater possessions than the equality or the frame of the commonwealth will bear, is an occasion of sedition, which ends for the greater part in monarchy; and that for this cause the ostracism has been received in divers places, as in Argos and Athens. But that it were better to prevent the growth in the beginning, than, when it has got head, to seek the remedy of such an evil."

Machiavel has missed it very narrowly and more dangerously; for, not fully

perceiving that if a commonwealth be galled by the gentry it is by their overbalance, he speaks of the gentry as hostile to popular governments, and of popular governments as hostile to the gentry; and makes us believe that the people in such are so enraged against them, that where they meet a gentleman they kill him: which can never be proved by any one example, unless in civil war, seeing that even in Switzerland the gentry are not only safe, but in honour. But the balance, as I have laid it down, though unseen by Machiavel, is that which interprets him, and that which he confirms by his judgment in many others as well as in this place, where he concludes, "That he who will go about to make a commonwealth where there be many gentlemen, unless he first destroys them, undertakes an impossibility. And that he who goes about to introduce monarchy where the condition of the people is equal, shall never bring it to pass, unless he cull out such of them as are the most turbulent and ambitious, and make them gentlemen or noblemen, not in name but in effect; that is, by enriching them with lands, castles and treasures, that may gain them power among the rest, and bring in the rest to dependence upon themselves, to the end that, they maintaining their ambition by the prince, the prince may maintain his power by them."

Wherefore, as in this place I agree with Machiavel, that a nobility or gentry, overbalancing a popular government, is the utter bane and destruction of it; so I shall show in another, that a nobility or gentry, in a popular government, not overbalancing it, is the very life and soul of it. . . .

So much for the principles of power, whether national or provincial, domestic or foreign; being such as are external, and founded in the goods of fortune.

I come to the principles of authority, which are internal, and founded upon the goods of the mind. These the legislator that can unite in his government with those of fortune, comes nearest to the work of God, whose government consists of heaven and earth; which was said by Plato, though in different words, as, when princes should be philosophers, or philosophers princes, the world would be happy. And says Solomon: "There is an evil which I have seen under the sun, which proceeds from the ruler [*enimvero neque nobilem, neque ingenuum, nec libertinum quidem armis præponere, regia utilitas est*]. Folly is set in great dignity, and the rich [either in virtue and wisdom, in the goods of the mind, or those of fortune upon that balance which gives them a sense of the national interest] sit in low places. I have seen servants upon horses, and princes walking as servants upon the earth." Sad complaints, that the principles of power and of authority, the goods of the mind and of fortune, do not meet and twine in the wreath or crown of empire! Wherefore, if we have anything of piety or of prudence, let us raise ourselves out of the mire of private interest to the contemplation of virtue, and put a hand to the removal

of "this evil from under the sun;" this evil against which no government that is not secured can be good; this evil from which the government that is secure must be perfect. Solomon tells us, that the cause of it is from the ruler, from those principles of power, which, balanced upon earthly trash, exclude the heavenly treasures of virtue, and that influence of it upon government which is authority. We have wandered the earth to find out the balance of power; but to find out that of authority we must ascend, as I said, nearer heaven, or to the image of God, which is the soul of man.

The soul of man (whose life or motion is perpetual contemplation or thought) is the mistress of two potent rivals, the one reason, the other passion, that are in continual suit; and, according as she gives up her will to these or either of them, is the felicity or misery which man partakes in this mortal life.

For, as whatever was passion in the contemplation of a man, being brought forth by his will into action, is vice and the bondage of sin; so whatever was reason in the contemplation of a man, being brought forth by his will into action, is virtue and the freedom of soul.

Again, as those actions of a man that were sin acquire to himself repentance or shame, and affect others with scorn or pity, so those actions of a man that are virtue acquire to himself honour, and upon others authority.

Now government is no other than the soul of a nation or city: wherefore that which was reason in the debate of a commonwealth being brought forth by the result, must be virtue; and forasmuch as the soul of a city or nation is the sovereign power, her virtue must be law. But the government whose law is virtue, and whose virtue is law, is the same whose empire is authority, and whose authority is empire.

Again, if the liberty of a man consists in the empire of his reason, the absence whereof would betray him to the bondage of his passions, then the liberty of a commonwealth consists in the empire of her laws, the absence whereof would betray her to the lust of tyrants. And these I conceive to be the principles upon which Aristotle and Livy (injuriously accused by Leviathan for not writing out of Nature) have grounded their assertion, "that a commonwealth is an empire of laws and not of men." But they must not carry it so. "For," says he, "the liberty, whereof there is so frequent and honourable mention in the histories and philosophy of the ancient Greeks and Romans, and the writings and discourses of those that from them have received all their learning in the politics, is not the liberty of particular men, but the liberty of the commonwealth." He might as well have said that the estates of particular men in a commonwealth are not the riches of particular men, but the riches of the commonwealth; for equality of estates causes equality of power, and equality of power is the liberty, not only of the commonwealth, but of every man. But

such a man would never be thus irreverent with the greatest authors, and positive against all antiquity, without some certain demonstration of truth—and what is it? Why, “there is written on the turrets of the city of Lucca in great characters at this day the word *LIBERTAS*; yet no man can thence infer that a particular man has more liberty or immunity from the service of the commonwealth there than in Constantinople. Whether a commonwealth be monarchical or popular, the freedom is the same.” The mountain has brought forth, and we have a little equivocation! For to say that a Lucchese has no more liberty or immunity from the laws of Lucca than a Turk has from those of Constantinople; and to say that a Lucchese has no more liberty or immunity by the laws of Lucca, than a Turk has by those of Constantinople, are pretty different speeches. The first may be said of all governments alike; the second scarce of any two; much less of these, seeing it is known that, whereas the greatest Bashaw is a tenant, as well of his head as of his estate, at the will of his lord, the meanest Lucchese that has land is a freeholder of both, and not to be controlled but by the law, and that framed by every private man to no other end (or they may thank themselves) than to protect the liberty of every private man, which by that means comes to be the liberty of the commonwealth.

But seeing they that make the laws in commonwealths are but men, the main question seems to be, how a commonwealth comes to be an empire of laws, and not of men? Or how the debate or result of a commonwealth is so sure to be according to reason; seeing they who debate, and they who resolve, be but men? “And as often as reason is against a man, so often will a man be against reason.”

This is thought to be a shrewd saying, but will do no harm; for be it so that reason is nothing but interest, there be divers interests, and so divers reasons.

At first, There is private reason, which is the interest of a private man.

Secondly, There is reason of State, which is the interest (or error, as was said by Solomon) of the ruler or rulers, that is to say, of the prince, of the nobility, or of the people.

Thirdly, There is that reason, which is the interest of mankind, or of the whole. “Now if we see even in those natural agents that want sense, that as in themselves they have a law which directs them in the means whereby they tend to their own perfection, so likewise that another law there is, which touches them as they are sociable parts united into one body; a law which binds them each to serve to others’ good, and all to prefer the good of the whole, before whatsoever their own particular; as when stones, or heavy things, forsake their ordinary wont or centre, and fly upwards, as if they heard themselves commanded to let go the good they privately wish, and to relieve the present distress of Nature in common.” There is a common right, law of

Nature, or interest of the whole, which is more excellent, and so acknowledged to be by the agents themselves, than the right or interest of the parts only. "Wherefore, though it may be truly said that the creatures are naturally carried forth to their proper utility or profit, that ought not to be taken in too general a sense; seeing divers of them abstain from their own profit, either in regard of those of the same kind, or at least of their young."

Mankind then must either be less just than the creature, or acknowledge also his common interest to be common right. And if reason be nothing else but interest, and the interest of mankind be the right interest, then the reason of mankind must be right reason. Now compute well; for if the interest of popular government come the nearest to the interest of mankind, then the reason of popular government must come the nearest to right reason.

But it may be said that the difficulty remains yet; for be the interest of popular government right reason, a man does not look upon reason as it is right or wrong in itself, but as it makes for him or against him. Wherefore, unless you can show such orders of a government as, like those of God in Nature, shall be able to constrain this or that creature to shake off that inclination which is more peculiar to it, and take up that which regards the common good or interest, all this is to no more end than to persuade every man in a popular government not to carve himself of that which he desires most, but to be mannerly at the public table, and give the best from himself to decency and the common interest. But that such orders may be established as may, nay must, give the upper hand in all cases to common right or interest, notwithstanding the nearness of that which sticks to every man in private, and this in a way of equal certainty and facility, is known even to girls, being no other than those that are of common practice with them in divers cases. For example, two of them have a cake yet undivided, which was given between them: that each of them therefore might have that which is due, "divide," says one to the other, "and I will choose; or let me divide, and you shall choose." If this be but once agreed upon, it is enough; for the dividant, dividing unequally, loses, in regard that the other takes the better half; wherefore she divides equally, and so both have right. "O the depth of the wisdom of God!" and yet "by the mouths of babes and sucklings has He set forth His strength;" that which great philosophers are disputing upon in vain, is brought to light by two harmless girls, even the whole mystery of a commonwealth, which lies only in dividing and choosing. Nor has God (if His works in Nature be understood) left so much to mankind to dispute upon as who shall divide and who choose, but distributed them for ever into two orders, whereof the one has the natural right of dividing, and the other of choosing. For example:

A commonwealth is but a civil society of men: let us take any number of

men (as twenty) and immediately make a commonwealth. Twenty men (if they be not all idiots, perhaps if they be) can never come so together but there will be such difference in them, that about a third will be wiser, or at least less foolish than all the rest; these upon acquaintance, though it be but small, will be discovered, and, as stags that have the largest heads, lead the herd; for while the six, discoursing and arguing one with another, show the eminence of their parts, the fourteen discover things that they never thought on; or are cleared in divers truths which had formerly perplexed them. Wherefore, in matter of common concernment, difficulty, or danger, they hang upon their lips, as children upon their fathers; and the influence thus acquired by the six, the eminence of whose parts are found to be a stay and comfort to the fourteen, is the authority of the fathers. Wherefore this can be no other than a natural aristocracy diffused by God throughout the whole body of mankind to this end and purpose; and therefore such as the people have not only a natural but a positive obligation to make use of as their guides; as where the people of Israel are commanded to "take wise men, and understanding, and known among their tribes, to be made rulers over them." The six then approved of, as in the present case, are the senate, not by hereditary right, or in regard of the greatness of their estates only, which would tend to such power as might force or draw the people, but by election for their excellent parts, which tends to the advancement of the influence of their virtue or authority that leads the people. Wherefore the office of the senate is not to be commanders, but counsellors of the people; and that which is proper to counsellors is first to debate, and afterward to give advice in the business whereupon they have debated, whence the decrees of the senate are never laws, nor so called; and these being maturely framed, it is their duty to propose in the case of the people. Wherefore the senate is no more than the debate of the commonwealth. But to debate, is to discern or put a difference between things that, being alike, are not the same; or it is separating and weighing this reason against that, and that reason against this, which is dividing.

The senate then having divided, who shall choose? Ask the girls: for if she that divided must have chosen also, it had been little worse for the other in case she had not divided at all, but kept the whole cake to herself, in regard that being to choose too she divided accordingly. Wherefore if the senate have any farther power than to divide, the commonwealth can never be equal. But in a commonwealth consisting of a single council, there is no other to choose than that which divided; whence it is, that such a council fails not to scramble—that is, to be factious, there being no other dividing of the cake in that case but among themselves.

Nor is there any remedy but to have another council to choose. The wisdom

of the few may be the light of mankind; but the interest of the few is not the profit of mankind, nor of a commonwealth. Wherefore, seeing we have granted interest to be reason, they must not choose lest it put out their light. But as the council dividing consists of the wisdom of the commonwealth, so the assembly or council choosing should consist of the interest of the commonwealth: as the wisdom of the commonwealth is in the aristocracy, so the interest of the commonwealth is in the whole body of the people. And whereas this, in case the commonwealth consist of a whole nation, is too unwieldy a body to be assembled, this council is to consist of such a representative as may be equal, and so constituted, as can never contract any other interest than that of the whole people; the manner whereof, being such as is best shown by exemplification, I remit to the model. But in the present case, the six dividing, and the fourteen choosing, must of necessity take in the whole interest of the twenty.

Dividing and choosing in the language of a commonwealth is debating and resolving; and whatsoever, upon debate of the senate, is proposed to the people, and resolved by them, is enacted by the authority of the fathers, and by the power of the people, which concurring, make a law. . . .

By what has been shown in reason and experience, it may appear, that though commonwealths in general be governments of the senate proposing, the people resolving, and the magistracy executing, yet some are not so good at these orders as others, through some impediment or defect in the frame, balance, or capacity of them, according to which they are of divers kinds.

The first division of them is into such as are single, as Israel, Athens, Lacedemon, &c.; and such as are by leagues, as those of the Achæans, Etolians, Lycians, Switz, and Hollanders.

The second (being Machiavel's) is into such as are for preservation, as Lacedemon and Venice, and such as are for increase, as Athens and Rome; in which I can see no more than that the former takes in no more citizens than are necessary for defence, and the latter so many as are capable of increase.

The third division (unseen hitherto) is into equal and unequal, and this is the main point, especially as to domestic peace and tranquillity; for to make a commonwealth unequal, is to divide it into parties, which sets them at perpetual variance, the one party endeavouring to preserve their eminence and inequality, and the other to attain to equality; whence the people of Rome derived their perpetual strife with the nobility and senate. But in an equal commonwealth there can be no more strife than there can be overbalance in equal weights; wherefore the commonwealth of Venice, being that which of all others is the most equal in the constitution, is that wherein there never happened any strike between the senate and the people.

An equal commonwealth is such a one as is equal both in the balance or foundation, and in the superstructure; that is to say, in her Agrarian law, and in her rotation.

An equal Agrarian is a perpetual law, establishing and preserving the balance of dominion by such a distribution, that no one man or number of men, within the compass of the few or aristocracy, can come to overpower the whole people by their possessions in lands.

As the Agrarian answers to the foundation, so does rotation to the superstructures.

Equal rotation is equal vicissitude in government, or succession to magistracy conferred for such convenient terms, enjoying equal vacations, as take in the whole body by parts, succeeding others, through the free election or suffrage of the people.

The contrary, whereunto is prolongation of magistracy, which, trashing the wheel of rotation, destroys the life or natural motion of a commonwealth.

The election or suffrage of the people is most free, where it is made or given in such a manner that it can neither oblige nor disoblige another, nor through fear of an enemy, or bashfulness towards a friend, impair a man's liberty.

Wherefore, says Cicero, the tablet or ballot of the people of Rome (who gave their votes by throwing tablets or little pieces of wood secretly into urns marked for the negative or affirmative) was a welcome constitution to the people, as that which, not impairing the assurance of their brows, increased the freedom of their judgment. I have not stood upon a more particular description of this ballot, because that of Venice exemplified in the model is of all others the most perfect.

An equal commonwealth (by that which has been said) is a government established upon an equal Agrarian, arising into the superstructures or three orders, the senate debating and proposing, the people resolving, and the magistracy executing, by an equal rotation through the suffrage of the people given by the ballot. For though rotation may be without the ballot, and the ballot without rotation, yet the ballot not only as to the ensuing model includes both, but is by far the most equal way; for which cause under the name of the ballot I shall hereafter understand both that and rotation too.

Now having reasoned the principles of an equal commonwealth, I should come to give an instance of such a one in experience, if I could find it; but if this work be of any value, it lies in that it is the first example of a commonwealth that is perfectly equal. . . .

But there be who say (and think it a strong objection) that, let a commonwealth be as equal as you can imagine, two or three men when all is done will govern it; and there is that in it which, notwithstanding the pretended suf-

iciency of a popular State, amounts to a plain confession of the imbecility of that policy, and of the prerogative of monarchy; forasmuch as popular governments in difficult cases have had recourse to dictatorial power, as in Rome.

To which I answer, that as truth is a spark to which objections are like bellows, so in this respect our commonwealth shines; for the eminence acquired by suffrage of the people in a commonwealth, especially if it be popular and equal, can be ascended by no other steps than the universal acknowledgment of virtue: and where men excel in virtue, the commonwealth is stupid and unjust, if accordingly they do not excel in authority. Wherefore this is both the advantage of virtue, which has her due encouragement, and of the commonwealth, which has her due services. These are the philosophers which Plato would have to be princes, the princes which Solomon would have to be mounted, and their steeds are those of authority, not empire; or, if they be buckled to the chariot of empire, as that of the dictatorial power, like the chariot of the sun, it is glorious for terms and vacations or intervals. And as a commonwealth is a government of laws and not of men, so is this the principality of virtue, and not of man; if that fail or set in one, it rises in another who is created his immediate successor. And this takes away that vanity from under the sun, which is an error proceeding more or less from all other rulers under heaven but an equal commonwealth. . . .

But let a commonwealth be equal or unequal, it must consist, as has been shown by reason and all experience, of the three general orders; that is to say, of the senate debating and proposing, of the people resolving, and of the magistracy executing. Wherefore I can never wonder enough at Leviathan, who, without any reason or example, will have it that a commonwealth consists of a single person, or of a single assembly; nor can I sufficiently pity those "thousand gentlemen, whose minds, which otherwise would have wavered, he has framed [as is affirmed by himself] into a conscientious obedience [for so he is pleased to call it] of such a government."

But to finish this part of the discourse, which I intend for as complete an epitome of ancient prudence, and in that of the whole art of politics, as I am able to frame in so short a time:

The two first orders, that is to say, the senate and the people, are legislative, whereunto answers that part of this science which by politicians is entitled "of laws"; and the third order is executive, to which answers that part of the same science which is styled "of the frame and course of courts or judicatories." A word to each of these will be necessary.

And first for laws: they are either ecclesiastical or civil, such as concern religion or government.

Laws, ecclesiastical, or such as concern religion, according to the universal

course of ancient prudence, are in the power of the magistrate; but, according to the common practice of modern prudence, since the Papacy, torn out of his hands.

But, as a government pretending to liberty, and yet suppressing liberty of conscience (which, because religion not according to a man's conscience can to him be none at all, is the main), must be a contradiction, so a man that, pleading for the liberty of private conscience, refuses liberty to the national conscience, must be absurd.

A commonwealth is nothing else but the national conscience. And if the conviction of a man's private conscience produces his private religion, the conviction of the national conscience must produce a national religion. . . . And for Rome, if Cicero, in his most excellent book "*De Natura Deorum*," overthrew the national religion of that commonwealth, he was never the farther from being consul. But there is a meanness and poorness in modern prudence, not only to the damage of civil government, but of religion itself; for to make a man in manner of religion, which admits not of sensible demonstrations (*jurare in verba magistri*²), engage to believe no otherwise than is believed by my Lord Bishop, or Goodman Presbyter, is a pedantism that has made the sword to be a rod in the hands of schoolmasters; by which means, whereas the Christian religion is the farthest of any from countenancing war, there never was a war of religion but since Christianity, for which we are beholden to the Pope; for the Pope not giving liberty of conscience to princes and commonwealths, they cannot give that to their subjects which they have not themselves, whence both princes and subjects, either through his instigation or their own disputes, have introduced that execrable custom, never known in the world before, of fighting for religion, and denying the magistrate to have any jurisdiction concerning it, whereas the magistrate's losing the power of religion loses the liberty of conscience, which in that case has nothing to protect it. But if the people be otherwise taught, it concerns them to look about them, and to distinguish between the shrieking of the lapwing and the voice of the turtle.

To come to civil laws: if they stand one way and the balance another, it is the case of a government which of necessity must be new modelled; wherefore your lawyers, advising you upon the like occasions to fit your government to their laws, are no more to be regarded than your tailor if he should desire you to fit your body to his doublet. There is also danger in the plausible pretence of reforming the law, except the government be first good, in which case it is a good tree, and (trouble not yourselves overmuch) brings not forth evil fruit; otherwise, if the tree be evil, you can never reform the fruit, or if a root that is naught bring forth fruit of this kind that seems to be good, take

² [To swear to the words of a master.]

the more heed, for it is the ranker poison. It was nowise probable, if Augustus had not made excellent laws, that the bowels of Rome could have come to be so miserably eaten out by the tyranny of Tiberius and his successors. The best rule as to your laws in general is, that they be few. Rome, by the testimony of Cicero, was best governed under those of the twelve tables; and by that of Tacitus, *Plurimæ leges, corruptissima respublica*.⁸ You will be told, that where the laws be few, they leave much to arbitrary power; but where they be many, they leave more, the laws in this case, according to Justinian and the best lawyers, being as litigious as the suitors. Solon made few, Lycurgus fewer laws; and commonwealths have the fewest at this day of all other governments.

Now to conclude this part with a word *de judiciis*, or of the constitution or course of courts; it is a discourse not otherwise capable of being well managed but by particular examples, both the constitution and course of courts being divers in different governments, but best beyond compare in Venice, where they regard not so much the arbitrary power of their courts as the constitution of them, whereby that arbitrary power being altogether unable to retard or do hurt to business, produces and must produce the quickest despatch, and the most righteous dictates of justice that are perhaps in human nature. The manner I shall not stand in this place to describe, because it is exemplified at large in the judicature of the people of Oceana. And thus much of ancient prudence, and the first branch of this preliminary discourse.

⁸ [*The state with most laws is most corrupt.*]

JOHN LOCKE

THE THINKER who has been, perhaps, most frequently quoted by spokesmen for democracy is John Locke (1632-1704). Like Hobbes, Locke was attached to the family of an English nobleman—Lord Shaftesbury—and became involved in the practical politics and shifting fortunes of his patron's public life. Forced into exile with Lord Shaftesbury, Locke returned to England when the Glorious Revolution put William of Orange on the British throne, and he subsequently filled several important public offices.

The name of Locke was, with Newton's, preeminent in the Enlightenment. The philosophers of that period, especially in France, looked up to Locke for having done for human nature what Newton had done for the physical world. These thinkers had most in mind Locke's epoch-making work, the *Essay concerning Human Understanding* (1690). To the philosophers of pre-Revolutionary France it seemed that Locke had liberated the human mind from the trammels of supernatural authority by subjecting it to the same kind of analysis in terms of effects of external impacts which Newton had employed on physical objects so successfully.

It was not, however, in this work but in his *Of Civil Government* that Locke's political philosophy was most fully developed. This book was written in defense of the Whig Revolution, just as Hobbes's *Leviathan* had been provoked by the Puritan Rebellion. The essay is the second of *Two Treatises of Government*, which appeared in 1690, and which Locke prefaced with these words: "These . . . I hope are sufficient to establish the Throne of our great Restorer, our present King William; to make good his title, in the Consent of the People; which being the only one of all lawful Governments, he has more fully and clearly, than any Prince in Christendom; and to justify to the World the People of England, whose love of their just and natural Rights, with their Resolution to preserve them, saved the Nation when it was on the very birth of Slavery and Ruin." Such a justification rested first on Locke's refutation of the doctrine of absolute monarchy, and the first *Treatise* is devoted to an attack upon Sir Robert Filmer's defense of that form of government. It is to the further refutation of such a position as the following, stated by Filmer, that Locke's argument in the second *Treatise* is also devoted: "We do but flatter ourselves, if we hope ever to be governed without an Arbitrary Power. No: we mistake, the Question is not, whether there shall be an Arbitrary Power; but the only point is, who shall have that Arbitrary Power, whether one man or many? There never was, nor ever can be any People govern'd without a Power of making Laws, and every Power of making Laws must be Arbitrary: For to make a Law according to Law, is *Contradictio in adjecto*."¹

Locke's formulation of the state of nature is a defense of the constitutional ideals of 1688 and goes back beyond Hobbes to Richard Hooker (1554-1600) and the Roman tradition which held that government is an agency responsible both to the people and to the moral law of nature. The complexity of his political theory is aggravated by the fact that a twofold motive lies behind it. Locke is concerned to

¹ A verbal contradiction.

justify the middle-class Revolution and at the same time to secure property rights against future revolutionary disturbance. Consequently Locke's "state of nature" has a duplicity of meaning. On the one hand, it defines a condition in which men show respect for one another and perform mutual services. On the other hand, he interprets the "state of nature" as the claim of every individual to indefeasible natural rights. Thus, although Locke does not regard society as artificial or arbitrary he is a characteristic thinker of his age in regarding it as the compound of individual interests.

Locke's insistence upon natural rights reflects a deep-seated inconsistency in his general philosophic position. It was a combination of the theory that all ideas come from *experience* with the presumption that a political theory could be founded upon the acceptance as *self-evident* of the natural rights of life, liberty, and estate. Many philosophers since his time have pointed out the inconsistency of this position, but it was in keeping with it that Locke's *Essay on Civil Government* was written, and that most of the political thinking of the Enlightenment was carried on.

The great influence of Locke's *Essay on Civil Government* was not felt most immediately in England, which continued to be dominated during the eighteenth century by the landed gentry, but in America and France, a century later. The justification of rebellion found in the American Declaration of Independence seems at many points to be a direct paraphrase of Locke, and the Virginia Bill of Rights, among others, shows the influence of Locke's writings.

In England, too, constitutional lawyers came under the influence of Locke. In the long run, however, it was the Philosophic Radicals of the early nineteenth century who became in England the most important representatives of Locke's classic formulation of liberalism. In the course of the eighteenth century Locke's experiential account of the human mind—reinforced by the progress of experimental methods in the social sciences—came to be immensely more important than his dependence on natural law. Indeed, as elaborated by Bentham into a psychological explanation of behavior as the individual's pursuit of pleasure and avoidance of pain, Locke's empiricism (philosophy of experience) became an instrument in the utilitarians' attack upon the very foundation of his political system—natural rights. The elements of that system persisted, however. The utilitarians removed his social contract theory from the realm of effective politics, but they retained his concern for property and his distrust of the ruler as over against the ruled. And if the utilitarians substituted for Locke's theory of the division of powers between the legislative and executive arms a theory giving absolute authority to Parliament, they did so only in response to a reformist temper of mind, and to a middle-class and individualistic bias which Locke had already articulated in classic fashion.



OF CIVIL GOVERNMENT

CHAPTER I

. . . I think it may not be amiss to set down what I take to be political power. That the power of a magistrate over a subject may be distinguished

from that of a father over his children, a master over his servant, a husband over his wife, and a lord over his slave. All which distinct powers happening sometimes together in the same man, if he be considered under these different relations, it may help us to distinguish these powers one from another, and show the difference betwixt a ruler of a commonwealth, a father of a family, and a captain of a galley.

Political power, then, I take to be a right of making laws, with penalties of death, and consequently all less penalties for the regulating and preserving of property, and of employing the force of the community in the execution of such laws, and in the defence of the commonwealth from foreign injury, and all this only for the public good.

CHAPTER II: OF THE STATE OF NATURE

To understand political power aright, and derive it from its original, we must consider what estate all men are naturally in, and that is, a state of perfect freedom to order their actions, and dispose of their possessions and persons as they think fit, within the bounds of the law of Nature, without asking leave or depending upon the will of any other man.

A state also of equality, wherein all the power and jurisdiction is reciprocal, no one having more than another, there being nothing more evident than that creatures of the same species and rank, promiscuously born to all the same advantages of Nature, and the use of the same faculties, should also be equal one amongst another, without subordination or subjection, unless the lord and master of them all should, by any manifest declaration of his will, set one above another, and confer on him, by an evident and clear appointment, an undoubted right to dominion and sovereignty. . . .

But though this be a state of liberty, yet it is not a state of licence; though man in that state have an uncontrollable liberty to dispose of his person or possessions, yet he has not liberty to destroy himself, or so much as any creature in his possession, but where some nobler use than its bare preservation calls for it. The state of Nature has a law of Nature to govern it, which obliges every one, and reason, which is that law, teaches all mankind who will but consult it, that being all equal and independent, no one ought to harm another in his life, health, liberty or possessions; for men being all the workmanship of one omnipotent and infinitely wise Maker; all the servants of one sovereign Master, sent into the world by His order and about His business; they are His property, whose workmanship they are made to last during His, not one another's pleasure. And, being furnished with like faculties, sharing all in one community of Nature, there cannot be supposed any such subordination among us that may authorise us to destroy one another, as if we were made for

one another's uses, as the inferior ranks of creatures are for ours. Every one as he is bound to preserve himself, and not to quit his station wilfully, so by the like reason, when his own preservation comes not in competition, ought he as much as he can to preserve the rest of mankind, and not unless it be to do justice on an offender, take away or impair the life, or what tends to the preservation of the life, the liberty, health, limb, or goods of another.

And that all men may be restrained from invading others' rights, and from doing hurt to one another, and the law of Nature be observed, which willet the peace and preservation of all mankind, the execution of the law of Nature is in that state put into every man's hands, whereby every one has a right to punish the transgressors of that law to such a degree as may hinder its violation. For the law of Nature would, as all other laws that concern men in this world, be in vain if there were nobody that in the state of Nature had a power to execute that law, and thereby preserve the innocent and restrain offenders; and if any one in the state of Nature may punish another for any evil he has done, every one may do so. For in that state of perfect equality, where naturally there is no superiority of jurisdiction of one over another, what any may do in prosecution of that law, every one must needs have a right to do.

And thus, in the state of Nature, one man comes by a power over another, but yet no absolute or arbitrary power to use a criminal, when he has got him in his hands, according to the passionate heats or boundless extravagancy of his own will, but only to retribute to him so far as calm reason and conscience dictate, what is proportionate to his transgression, which is so much as may serve for reparation and restrain. For these two are the only reasons why one man may lawfully do harm to another, which is that we call punishment. In transgressing the law of Nature, the offender declares himself to live by another rule than that of reason and common equity, which is that measure God has set to the actions of men for their mutual security, and so he becomes dangerous to mankind; the tie which is to secure them from injury and violence being slighted and broken by him, which being a trespass against the whole species, and the peace and safety of it, provided for by the law of Nature, every man upon this score, by the right he hath to preserve mankind in general, may restrain, or where it is necessary, destroy things noxious to them, and so may bring such evil on any one who hath transgressed that law, as may make him repent the doing of it, and thereby deter him, and, by his example, others from doing the like mischief. And in this case, and upon this ground, every man hath a right to punish the offender, and be executioner of the law of Nature.

I doubt not but this will seem a very strange doctrine to some men; but before they condemn it, I desire them to resolve me by what right any prince

or state can put to death or punish an alien for any crime he commits in their country? It is certain their laws, by virtue of any sanction they receive from the promulgated will of the legislature, reach not a stranger. They speak not to him, nor, if they did, is he bound to hearken to them. The legislative authority by which they are in force over the subjects of that commonwealth hath no power over him. Those who have the supreme power of making laws in England, France, or Holland are, to an Indian, but like the rest of the world—men without authority. And therefore, if by the law of Nature every man hath not a power to punish offences against it, as he soberly judges the case to require, I see not how the magistrates of any community can punish an alien of another country, since, in reference to him, they can have no more power than what every man naturally may have over another.

Besides the crime which consists in violating the laws, and varying from the right rule of reason, whereby a man so far becomes degenerate, and declares himself to quit the principles of human nature and to be a noxious creature, there is commonly injury done, and some person or other, some other man, receives damages by his transgression; in which case, he who hath received any damage has (besides the right of punishment common to him, with other men) a particular right to seek reparation from him that hath done it. And any other person who finds it just may also join with him that is injured, and assist him in recovering from the offender so much as may make satisfaction for the harm he hath suffered.

From these two distinct rights (the one of punishing the crime, for restraint and preventing the like offence, which right of punishing is in everybody, the other of taking reparation, which belongs only to the injured party) comes it to pass that the magistrate, who by being magistrate hath the common right of punishing put into his hands, can often, where the public good demands not the execution of the law, remit the punishment of criminal offences by his own authority, but yet cannot remit the satisfaction due to any private man for the damage he has received. That he who hath suffered the damage has a right to demand in his own name, and he alone can remit. The damnified person has this power of appropriating to himself the goods or service of the offender by right of self-preservation, as every man has a power to punish the crime to prevent its being committed again, by the right he has of preserving all mankind, and doing all reasonable things he can in order to that end. And thus it is that every man in the state of Nature has a power to kill a murderer, both to deter others from doing the like injury (which no reparation can compensate) by the example of the punishment that attends it from everybody, and also to secure men from the attempts of a criminal who, having renounced reason, the common rule and measure God hath given to mankind, hath, by

the unjust violence and slaughter he hath committed upon one, declared war against all mankind, and therefore may be destroyed as a lion or a tiger, one of those wild savage beasts with whom men can have no society nor security. And upon this is grounded that great law of Nature, "Whoso sheddeth man's blood, by man shall his blood be shed." And Cain was so fully convinced that every one had a right to destroy such a criminal, that, after the murder of his brother, he cries out, "Every one that findeth me shall slay me," so plain was it writ in the hearts of all mankind.

By the same reason may a man in the state of Nature punish the lesser breaches of that law, it will, perhaps, be demanded, with death? I answer: Each transgression may be punished to that degree, and with so much severity, as will suffice to make it an ill bargain to the offender, give him cause to repent, and terrify others from doing the like. Every offence that can be committed in the state of Nature may, in the state of Nature, be also punished equally, and as far forth, as it may, in a commonwealth. For though it would be beside my present purpose to enter here into the particulars of the law of Nature, or its measures of punishment, yet it is certain there is such a law, and that too as intelligible and plain to a rational creature and a studier of that law as the positive laws of commonwealths, nay, possibly plainer; as much as reason is easier to be understood than the fancies and intricate contrivances of men, following contrary and hidden interests put into words; for truly so are a great part of the municipal laws of countries, which are only so far right as they are founded on the law of Nature, by which they are to be regulated and interpreted.

To this strange doctrine—viz., That in the state of Nature every one has the executive power of the law of Nature—I doubt not but it will be objected that it is unreasonable for men to be judges in their own cases, that self-love will make men partial to themselves and their friends; and, on the other side, ill-nature, passion, and revenge will carry them too far in punishing others, and hence nothing but confusion and disorder will follow, and that therefore God hath certainly appointed government to restrain the partiality and violence of men. I easily grant that civil government is the proper remedy for the inconveniences of the state of Nature, which must certainly be great where men may be judges in their own case, since it is easy to be imagined that he who was so unjust as to do his brother an injury will scarce be so just as to condemn himself for it. But I shall desire those who make this objection to remember that absolute monarchs are but men; and if government is to be the remedy of those evils which necessarily follow from men being judges in their own cases, and the state of Nature is therefore not to be endured, I desire to know what kind of government that is, and how much better it is than the state of

Nature, where one man commanding a multitude has the liberty to be judge in his own case, and may do to all his subjects whatever he pleases without the least question or control of those who execute his pleasure? and in whatsoever he doth, whether led by reason, mistake, or passion, must be submitted to? which men in the state of Nature are not bound to do one to another. And if he that judges, judges amiss in his own or any other case, he is answerable for it to the rest of mankind.

It is often asked as a mighty objection, where are, or ever were, there any men in such a state of Nature? To which it may suffice as an answer at present, that since all princes and rulers of "independent" governments all through the world are in a state of Nature, it is plain the world never was, nor never will be, without numbers of men in that state. I have named all governors of "independent" communities, whether they are, or are not, in league with others; for it is not every compact that puts an end to the state of Nature between men, but only this one of agreeing together mutually to enter into one community, and make one body politic; other promises and compacts men may make one with another, and yet still be in the state of Nature. The promises and bargains for truck, etc., between the two men in Soldania, in or between a Swiss and an Indian, in the woods of America, are binding to them, though they are perfectly in a state of Nature in reference to one another for truth, and keeping of faith belongs to men as men, and not as members of society.

To those that say there were never any men in the state of Nature, I will not only oppose the authority of the judicious Hooker, where he says, "the laws which have been hitherto mentioned"—*i.e.*, the laws of Nature—"do bind men absolutely, even as they are men, although they have never any settled fellowship, never any solemn agreement amongst themselves what to do or not to do; but for as much as we are not by ourselves sufficient to furnish ourselves with competent store of things needful for such a life as our Nature doth desire, a life fit for the dignity of man, therefore to supply those defects and imperfections which are in us, as living single and solely by ourselves, we are naturally induced to seek communion and fellowship with others; this was the cause of men uniting themselves as first in politic societies." But I, moreover, affirm that all men are naturally in that state, and remain so till, by their own consents, they make themselves members of some politic society, and I doubt not, in the sequel of this discourse, to make it very clear.

CHAPTER III: OF THE STATE OF WAR

The state of war is a state of enmity and destruction; and therefore declaring by word or action, not a passionate and hasty, but sedate, settled design upon another man's life puts him in a state of war with him against whom

he has declared such an intention, and so has exposed his life to the other's power to be taken away by him, or any one that joins with him in his defence, and espouses his quarrel; it being reasonable and just I should have a right to destroy that which threatens me with destruction; for by the fundamental law of Nature, man being to be preserved as much as possible, when all cannot be preserved, the safety of the innocent is to be preferred, and one may destroy a man who makes war upon him, or has discovered an enmity to his being, for the same reason that he may kill a wolf or a lion, because they are not under the ties of the common law of reason, have no other rule but that of force and violence, and so may be treated as a beast of prey, those dangerous and noxious creatures that will be sure to destroy him whenever he falls into their power.

And hence it is that he who attempts to get another man into his absolute power does thereby put himself into a state of war with him; it being to be understood as a declaration of a design upon his life. For I have reason to conclude that he who would get me into his power without my consent would use me as he pleased when he had got me there, and destroy me too when he had a fancy to it; for nobody can desire to have me in his absolute power unless it be to compel me by force to that which is against the right of my freedom—*i.e.*, make me a slave. To be free from such force is the only security of my preservation, and reason bids me look on him as an enemy to my preservation who would take away that freedom which is the fence to it; so that he who makes an attempt to enslave me thereby puts himself into a state of war with me. He that in the state of Nature would take away the freedom that belongs to any one in that state must necessarily be supposed to have a design to take away everything else, that freedom being the foundation of all the rest; as he that in the state of society would take away the freedom belonging to those of that society or commonwealth must be supposed to design to take away from them everything else, and so be looked on as in a state of war.

This makes it lawful for a man to kill a thief who has not in the least hurt him, nor declared any design upon his life, any farther than by the use of force, so to get him in his power as to take away his money, or what he pleases, from him; because using force, where he has no right to get me into his power, let his pretence be what it will, I have no reason to suppose that he who would take away my liberty would not, when he had me in his power, take away everything else. And, therefore, it is lawful for me to treat him as one who has put himself into a state of war with me—*i.e.*, kill him if I can; for to that hazard does he justly expose himself whoever introduces a state of war, and is aggressor in it.

And here we have the plain difference between the state of Nature and the

state of war, which however some men have confounded, are as far distant as a state of peace, goodwill, mutual assistance, and preservation; and a state of enmity, malice, violence and mutual destruction are one from another. Men living together according to reason without a common superior on earth, with authority to judge between them, is properly the state of Nature. But force, or a declared design of force upon the person of another, where there is no common superior on earth to appeal to for relief, is the state of war; and it is the want of such an appeal gives a man the right of war even against an aggressor, though he be in society and a fellow-subject. Thus, a thief whom I cannot harm, but by appeal to the law, for having stolen all that I am worth, I may kill when he sets on me to rob me but of my horse or coat, because the law, which was made for my preservation, where it cannot interpose to secure my life from present force, which if lost is capable of no reparation, permits me my own defence and the right of war, a liberty to kill the aggressor, because the aggressor allows not time to appeal to our common judge, nor the decision of the law, for remedy in a case where the mischief may be irreparable. Want of a common judge with authority puts all men in a state of Nature; force without right upon a man's person makes a state of war both where there is, and is not, a common judge.

But when the actual force is over, the state of war ceases between those that are in society and are equally on both sides subject to the judge; and, therefore, in such controversies, where the question is put, "Who shall be judge?" it cannot be meant who shall decide the controversy; every one knows what Jephtha here tells us, that "the Lord the Judge" shall judge. Where there is no judge on earth the appeal lies to God in Heaven. That question then cannot mean who shall judge, whether another hath put himself in a state of war with me, and whether I may, as Jephtha did, appeal to Heaven in it? Of that I myself can only judge in my own conscience, as I will answer it at the great day to the Supreme Judge of all men.

CHAPTER IV: OF SLAVERY

The natural liberty of man is to be free from any superior power on earth, and not to be under the will or legislative authority of man, but to have only the law of Nature for this rule. The liberty of man in society is to be under no other legislative power but that established by consent in the commonwealth, nor under the dominion of any will, or restraint of any law, but what that legislative shall enact according to the trust put in it. Freedom, then, is not what Sir Robert Filmer tells us: "A liberty for every one to do what he lists, to live as he pleases, and not to be tied by any laws"; but freedom of men under government is to have a standing rule to live by, common to every

one of that society, and made by the legislative power erected in it. A liberty to follow my own will in all things where that rule prescribes not, not to be subject to the inconstant, uncertain, unknown, arbitrary will of another man, as freedom of nature is to be under no other restraint but the law of Nature.

This freedom from absolute, arbitrary power is so necessary to, and closely joined with, a man's preservation, that he cannot part with it but by what forfeits his preservation and life together. For a man, not having the power of his own life, cannot by compact or his own consent enslave himself to any one, nor put himself under the absolute, arbitrary power of another to take away his life when he pleases. Nobody can give more power than he has himself, and he that cannot take away his own life cannot give another power over it. Indeed, having by his fault forfeited his own life by some act that deserves death, he to whom he has forfeited it may, when he has him in his power, delay to take it, and make use of him to his own service; and he does him no injury by it. For, whenever he finds the hardship of his slavery outweigh the value of his life, it is in his power, by resisting the will of his master, to draw on himself the death he desires. . . .

CHAPTER V: OF PROPERTY

Whether we consider natural reason, which tells us that men, being once born, have a right to their preservation, and consequently to meat and drink and such other things as Nature affords for their subsistence, or "revelation," which gives us an account of those grants God made of the world to Adam, and to Noah and his sons, it is very clear that God, as King David says, "has given the earth to the children of men," given it to mankind in common. But, this being supposed, it seems to some a very great difficulty how any one should ever come to have a property in anything, I will not content myself to answer, that, if it be difficult to make out "property" upon a supposition that God gave the world to Adam and his posterity in common, it is impossible that any man but one universal monarch should have any "property" upon a supposition that God gave the world to Adam and his heirs in succession, exclusive of all the rest of his posterity; but I shall endeavour to show how men might come to have a property in several parts of that which God gave to mankind in common, and that without any express compact of all the commoners.

God, who hath given the world to men in common, hath also given them reason to make use of it to the best advantage of life and convenience. The earth and all that is therein is given to men for the support and comfort of their being. And though all the fruits it naturally produces, and beasts it

feeds, belong to mankind in common, as they are produced by the spontaneous hand of Nature, and nobody has originally a private dominion exclusive of the rest of mankind in any of them, as they are thus in their natural state, yet being given for the use of men, there must of necessity be a means to appropriate them some way or other before they can be of any use, or at all beneficial, to any particular men. The fruit or venison which nourishes the wild Indian, who knows no enclosure, and is still a tenant in common, must be his, and so his—*i.e.*, a part of him, that another can no longer have any right to it before it can do him any good for the support of his life.

Though the earth and all inferior creatures be common to all men, yet every man has a "property" in his own "person." This nobody has any right to but himself. The "labour" of his body and the "work" of his hands, we may say, are properly his. Whatsoever, then, he removes out of the state that Nature hath provided and left it in, he hath mixed his labour with it, and joined to it something that is his own, and thereby makes it his property. It being by him removed from the common state Nature placed it in, it hath by this labour something annexed to it that excludes the common right of other men. For this "labour" being the unquestionable property of the labourer, no man but he can have a right to what that is once joined to, at least where there is enough, and as good left in common for others.

He that is nourished by the acorns he picked up under an oak, or the apples he gathered from the trees in the wood, has certainly appropriated them to himself. Nobody can deny but the nourishment is his. I ask, then, when did they begin to be his? when he digested? or when he ate? or when he boiled? or when he brought them home? or when he picked them up? And it is plain, if the first gathering made them not his, nothing else could. That labour put a distinction between them and common. That added something to them more than Nature, the common mother of all, had done, and so they became his private right. And will any one say he had no right to those acorns or apples he thus appropriated because he had not the consent of all mankind to make them his? Was it a robbery thus to assume to himself what belonged to all in common? If such a consent as that was necessary, man had starved, notwithstanding the plenty God had given him. We see in commons, which remain so by compact, that it is the taking any part of what is common, and removing it out of the state Nature leaves it in, which begins the property, without which the common is of no use. And the taking of this or that part does not depend on the express consent of all the commoners. Thus, the grass my horse has bit, the turfs my servant has cut, and the ore I have digged in any place, where I have a right to them in common with others, become my property without the assignation or consent of anybody. The labour that was

mine, removing them out of that common state they were in, hath fixed my property in them.

By making an explicit consent of every commoner necessary to any one's appropriating to himself any part of what is given in common, children or servants could not cut the meat which their father or master had provided for them in common without assigning to every one his peculiar part. Though the water running in the fountain be every one's, yet who can doubt but that in the pitcher is his only who drew it out? His labour hath taken it out of the hands of Nature where it was common, and belonged equally to all her children, and hath thereby appropriated it to himself. . . .

It will, perhaps, be objected to this, that if gathering the acorns or other fruits of the earth, etc., makes a right to them, then any one may engross as much as he will. To which I answer, Not so. The same law of Nature that does by this means give us property, does also bound that property too. "God has given us all things richly." Is the voice of reason confirmed by inspiration? But how far has He given it us—"to enjoy"? As much as any one can make use of to any advantage of life before it spoils, so much he may by his labour fix a property in. Whatever is beyond this is more than his share, and belongs to others. Nothing was made by God for man to spoil or destroy. And thus considering the plenty of natural provisions there was a long time in the world, and the few spenders, and to how small a part of that provision the industry of one man could extend itself and engross it to the prejudice of others, especially keeping within the bounds set by reason of what might serve for his use, there could be then little room for quarrels or contentions about property so established.

But the chief matter of property being now not the fruits of the earth and the beasts that subsist on it, but the earth itself, as that which takes in and carries with it all the rest, I think it is plain that property in that too is acquired as the former. As much land as a man tills, plants, improves, cultivates, and can use the product of, so much is his property. He by his labour does, as it were, enclose it from the common. Nor will it invalidate his right to say everybody else has an equal title to it, and therefore he cannot appropriate, he cannot enclose, without the consent of all his fellow-commoners, all mankind. God, when He gave the world in common to all mankind, commanded man also to labour, and the penury of his condition required it of him. God and his reason commanded him to subdue the earth—*i.e.*, improve it for the benefit of life and therein lay out something upon it that it was his own, his labour. He that, in obedience to this command of God, subdued, tilled, and sowed any part of it, thereby annexed to it something that was his property, which another had no title to, nor could without injury take from him.

Nor was this appropriation of any parcel of land, by improving it, any prejudice to any other man, since there was still enough and as good left, and more than the yet unprovided could use. So that, in effect, there was never the less left for others because of his enclosure for himself. For he that leaves as much as another can make use of does as good as take nothing at all. Nobody could think himself injured by the drinking of another man, though he took a good draught, who had a whole river of the same water left him to quench his thirst. And the case of land and water, where there is enough of both, is perfectly the same.

God gave the world to men in common, but since He gave it them for their benefit and the greatest conveniences of life they were capable to draw from it, it cannot be supposed He meant it should always remain common and uncultivated. He gave it to the use of the industrious and rational (and labour was to be his title of it); not to the fancy or covetousness of the quarrelsome and contentious. He that had as good left for his improvement as was already taken up needed not complain, ought not to meddle with what was already improved by another's labour; if he did it is plain he desired the benefit of another's pains, which he had no right to, and not the ground which God had given him, in common with others, to labour on, and whereof there was as good left as that already possessed, and more than he knew what to do with, or his industry could reach to.

It is true, in land that is common in England or any other country, where there are plenty of people under government who have money and commerce, no one can enclose or appropriate any part without the consent of all his fellow-commoners; because this is left common by compact—*i.e.*, by the law of the land, which is not to be violated. And, though it be common in respect of some men, it is not so to all mankind, but is the joint propriety of this country, or this parish. Besides, the remainder, after such enclosure, would not be as good to the rest of the commoners as the whole was, when they could all make use of the whole; whereas in the beginning and first peopling of the great common of the world it was quite otherwise. The law man was under was rather for appropriating. God commanded, and his wants forced him to labour. That was his property, which could not be taken from him wherever he had fixed it. And hence subduing or cultivating the earth and having dominion, we see, are joined together. The one gave title to the other. So that God, by commanding to subdue, gave authority so far to appropriate. And the condition of human life, which requires labour and materials to work on, necessarily introduce private possessions.

The measure of property Nature well set, by the extent of men's labour and

the conveniency of life. No man's labour could subdue or appropriate all, nor could his enjoyment consume more than a small part; so that it was impossible for any man, this way, to entrench upon the right of another or acquire to himself a property to the prejudice of his neighbour, who would still have room for as good and as large a possession (after the other had taken out his) as before it was appropriated. Which measure did confine every man's possession to a very moderate proportion, and such as he might appropriate to himself without injury to anybody in the first ages of the world, when men were more in danger to be lost, by wandering from their company, in the then vast wilderness of the earth than to be straitened for want of room to plant in.

The same measure may be allowed still, without prejudice to anybody, full as the world seems. For, supposing a man or family, in the state they were at first, peopling of the world by the children of Adam or Noah, let him plant in some inland vacant places of America. We shall find that the possessions he could make himself, upon the measures we have given, would not be very large, nor, even to this day, prejudice the rest of mankind or give them reason to complain or think themselves injured by this man's encroachment, though the race of men have now spread themselves to all the corners of the world, and do infinitely exceed the small number was at the beginning. Nay, the extent of ground is of so little value without labour that I have heard it affirmed that in Spain itself a man may be permitted to plough, sow and reap, without being disturbed, upon land he has no other title to, but only his making use of it. But, on the contrary, the inhabitants think themselves beholden to him who, by his industry on neglected, and consequently waste land, has increased the stock of corn, which they wanted. But be this as it will, which I lay no stress on, this I dare boldly affirm, that the same rule of property—viz., that every man should have as much as he could make use of, would hold still in the world, without straitening anybody, since there is land enough in the world to suffice double the inhabitants, had not the invention of money, and the tacit agreement of men to put a value on it, introduced (by consent) larger possessions and a right to them; which, how it has done, I shall by and by show more at large.

This is certain, that in the beginning, before the desire of having more than men needed had altered the intrinsic value of things, which depends only on their usefulness to the life of man, or had agreed that a little piece of yellow metal, which would keep without wasting or decay, should be worth a great piece of flesh or a whole heap of corn, though men had a right to appropriate by their labour, each one to himself, as much of the things of

Nature as he could use, yet this could not be much, nor to the prejudice of others, where the same plenty was still left, to those who would use the same industry.

Before the appropriation of land, he who gathered as much of the wild fruit, killed, caught, or tamed as many of the beasts as he could—he that so employed his pains about any of the spontaneous products of Nature as any way to alter them from the state Nature put them in, by placing any of his labour on them, did thereby acquire a propriety in them; but if they perished in his possession without their due use—if the fruits rotted or the venison putrefied before he could spend it, he offended against the common law of Nature, and was liable to be punished: he invaded his neighbour's share, for he had no right farther than his use called for any of them, and they might serve to afford him conveniences of life.

The same measures governed the possession of land, too. Whatsoever he tilled and reaped, laid up and made use of before it spoiled, that was his peculiar right; whatsoever he enclosed, and could feed and make use of, the cattle and product was also his. But if either the grass of his enclosure rotted on the ground, or the fruit of his planting perished without gathering and laying up, this part of the earth, notwithstanding his enclosure, was still to be looked on as waste, and might be the possession of any other. Thus, at the beginning, Cain might take as much ground as he could till and make it his own land, and yet leave enough to Abel's sheep to feed on: a few acres would serve for both their possessions. But as families increased and industry enlarged their stocks, their possessions enlarged with the need of them; but yet it was commonly without any fixed property in the ground they made use of till they incorporated, settled themselves together, and built cities, and then, by consent, they came in time to set out the bounds of their distinct territories and agree on limits between them and their neighbours, and by laws within themselves settled the properties of those of the same society. . . .

Nor is it so strange as, perhaps, before consideration, it may appear, that the property of labour should be able to overbalance the community of land, for it is labour indeed that puts the difference of value on everything; and let any one consider what the difference is between an acre of land planted with tobacco or sugar, sown with wheat or barley, and an acre of the same land lying in common without any husbandry upon it, and he will find that the improvement of labour makes the far greater part of the value. I think it will be but a very modest computation to say, that of the products of the earth useful to the life of man, nine-tenths are the effects of labour. Nay, if we will rightly estimate things as they come to our use, and cast up the several expenses about them—what in them is purely owing to Nature and what to

labour—we shall find that in most of them ninety-nine hundredths are wholly to be put on the account of labour. . . .

The greatest part of things really useful to the life of man, and such as the necessity of subsisting made the first commoners of the world look after, as it doth the Americans now, are generally things of short duration, such as, if they are not consumed by use, will decay and perish of themselves; gold, silver, and diamonds are things that fancy or agrcement hath put the value on, more than real use and the necessary support of life. Now of those good things which nature hath provided in common, every one had a right, as hath been said, to as much as he could use, and property in all that he could effect with his labour; all that his industry could extend to, to alter from the state nature had put it in, was his. He that gathered a hundred bushels of acorns or apples had thereby a property in them; they were his goods as soon as gathered. He was only to look that he used them before they spoiled, else he took more than his share and robbed others. And indeed it was a foolish thing, as well as dishonest, to hoard up more than he could make use of. If he gave away a part to anybody else so that it perished not uselessly in his possession, these he also made use of. And if he also bartered away plums that would have rotted in a week for nuts that would last good for his eating a whole year, he did no injury; he wasted not the common stock, destroyed no part of the portion of the goods that belonged to others, so long as nothing perished uselessly in his hands. Again, if he would give his nuts for a piece of metal, pleased with its colour, or exchange his sheep for shells, or wool for a sparkling pebble or a diamond, and keep those by him all his life, he invaded not the right of others; he might heap as much of these durable things as he pleased; the exceeding of the bounds of his just property not lying in the largeness of his possession, but the perishing of anything uselessly in it.

And thus came in the use of money—some lasting thing that men might keep without spoiling, and that by mutual consent men would take in exchange for the truly useful but perishable supports of life.

And as different degrees of industry were apt to give men possessions in different proportions, so this invention of money gave them the opportunity to continue and enlarge them; for supposing an island, separate from all possible commerce with the rest of the world, wherein there were but a hundred families, but there were sheep, horses, and cows, with other useful animals, wholesome fruits, and land enough for corn for a hundred thousand times as many, but nothing in the island, either because of its commonness or perishableness, fit to supply the place of money; what reason could anyone have there to enlarge his possessions beyond the use of his family and a plentiful supply to its consumption, either in what their own industry produced or they

could barter for like perishable, useful commodities with others? Where there is not something both lasting and scarce, and so valuable to be hoarded up, there men will not be apt to enlarge their possessions of land were it ever so rich, ever so free for them to take. For, I ask, what would a man value ten thousand or a hundred thousand acres of excellent land, ready cultivated and well stocked, too, with cattle, in the middle of the inland parts of America where he had no hopes of commerce with other parts of the world to draw money to him by the sale of the product? It would not be worth the enclosing, and we should see him give up again to the wild common of nature whatever was more than would supply the conveniences of life to be had there for him and his family. . . .

But since gold and silver, being little useful to the life of man, in proportion to food, raiment, and carriage, has its value only from the consent of men—whereof labour yet makes in great part the measure—it is plain that the consent of men have agreed to a disproportionate and unequal possession of the earth—I mean out of the bounds of society and compact; for in governments the laws regulate it; they having, by consent, found out and agreed in a way how a man may, rightfully and without injury, possess more than he himself can make use of by receiving gold and silver, which may continue long in a man's possession without decaying for the overplus, and agreeing those metals should have a value. . . .

CHAPTER VI: OF PATERNAL POWER

. . . Though I have said above . . . "That all men by nature are equal," I cannot be supposed to understand all sorts of "equality." Age or virtue may give men a just precedency. Excellency of parts and merit may place others above the common level. Birth may subject some, and alliance or benefits others, to pay an observance to those to whom Nature, gratitude, or other respects, may have made it due; and yet all this consists with the equality which all men are in, in respect of jurisdiction or dominion one over another, which was the equality I there spoke of as proper to the business in hand, being that equal right that every man hath to his natural freedom, without being subjected to the will or authority of any other man.

Children, I confess, are not born in this full state of equality, though they are born to it. Their parents have a sort of rule and jurisdiction over them when they come into the world, and for some time after, but it is but a temporary one. The bonds of this subjection are like the swaddling clothes they are wrapt up in and supported by in the weakness of their infancy. Age and reason as they grow up loosen them, till at length they drop quite off, and leave a man at his own free disposal.

Adam was created a perfect man, his body and mind in full possession of their strength and reason, and so was capable from the first instance of his being to provide for his own support and preservation, and govern his actions according to the dictates of the law of reason God had implanted in him. From him the world is peopled with his descendants, who are all born infants, weak and helpless, without knowledge or understanding. But to supply the defects of this imperfect state till the improvement of growth and age had removed them, Adam and Eve, and after them all parents were, by the law of Nature, under an obligation to preserve, nourish and educate the children they had begotten, not as their own workmanship, but the workmanship of their own Maker, the Almighty, to whom they were to be accountable for them.

The law that was to govern Adam was the same that was to govern all his posterity, the law of reason. But his offspring having another way of entrance into the world, different from him, by a natural birth, that produced them ignorant, and without the use of reason, they were not presently under that law. For nobody can be under a law that is not promulgated to him; and this law being promulgated or made known by reason only, he that is not come to the use of his reason cannot be said to be under this law; and Adam's children being not presently as soon as born under this law of reason, were not presently free. For law, in its true notion, is not so much the limitation as the direction of a free and intelligent agent to his proper interest, and prescribes no farther than is for the general good of those under that law. Could they be happier without it, the law, as a useless thing, would of itself vanish; and that ill deserves the name of confinement which hedges us in only from bogs and precipices. So that, however it may be mistaken, the end of law is not to abolish or restrain, but to preserve and enlarge freedom. For in all the states of created beings, capable of laws, where there is no law there is no freedom. For liberty is to be free from restraint and violence from others, which cannot be where there is no law; and is not, as we are told, "a liberty for every man to do what he lists." For who could be free, when every other man's humour might domineer over him? But a liberty to dispose and order freely as he lists his person, actions, possessions, and his whole property within the allowance of those laws under which he is, and therein not to be subject to the arbitrary will of another, but freely follow his own. . . .

The freedom then of man, and liberty of acting according to his own will, is grounded on his having reason, which is able to instruct him in that law he is to govern himself by, and make him know how far he is left to the freedom of his own will. To turn him loose to an unrestrained liberty, before he has reason to guide him, is not the allowing him the privilege of his nature to be free, but to thrust him out amongst brutes, and abandon him to a state

as wretched and as much beneath that of a man as theirs. This is that which puts the authority into the parents' hands to govern the minority of their children. . . .

CHAPTER VII: OF POLITICAL OR CIVIL SOCIETY

. . . But how a family, or any other society of men, differ from that which is properly political society, we shall best see by considering wherein political society itself consists.

Man being born, as has been proved, with a title to perfect freedom and an uncontrolled enjoyment of all the rights and privileges of the law of Nature, equally with any other man, or number of men in the world, hath by nature a power not only to preserve his property—that is, his life, liberty, and estate, against the injurics and attempts of other men, but to judge of and punish the breaches of that law in others, as he is persuaded the offence deserves, even with death itself, in crimes where the heinousness of the fact, in his opinion, requires it. But because no political society can be, nor subsist, without having in itself the power to preserve the property, and in order thereunto punish the offences of all those of that society, there, and there only, is political society where every one of the members hath quitted this natural power, resigned it up into the hands of the community in all cases that exclude him not from appealing for protection to the law established by it. And thus all private judgment of every particular member being excluded, the community comes to be umpire, and by understanding indifferent rules and men authorised by the community for their execution, decides all the differences that may happen between any members of that society concerning any matter of right, and punishes those offences which any member hath committed against the society with such penalties as the law has established; whereby it is easy to discern who are, and are not, in political society together. Those who are united into one body, and have a common established law and judicature to appeal to, with authority to decide controversies between them and punish offenders, are in civil society one with another; but those who have no such common appeal, I mean on earth, are still in the state of Nature, each being where there is no other, judge for himself and executioner; which is, as I have before showed it, the perfect state of Nature.

And thus the commonwealth comes by a power to set down what punishment shall belong to the several transgressions they think worthy of it, committed amongst the members of that society (which is the power of making laws), as well as it has the power to punish any injury done unto any of its members by any one that is not of it (which is the power of war and peace); and all this for the preservation of the property of all the members of that society, as far as is possible. But though every man entered into society has

quitted his power to punish offences against the law of Nature in prosecution of his own private judgment, yet with the judgment of offences which he has given up to the legislative, in all cases where he can appeal to the magistrate, he has given up a right to the commonwealth to employ his force for the execution of the judgments of the commonwealth whenever he shall be called to it, which, indeed, are his own judgments, they being made by himself or his representative. And herein we have the original of the legislative and executive power of civil society, which is to judge by standing laws how far offences are to be punished when committed within the commonwealth; and also by occasional judgments founded on the present circumstances of the fact, how far injuries from without are to be vindicated, and in both these to employ all the force of all the members when there shall be need.

Wherever, therefore, any number of men so unite into one society as to quit every one his executive power of the law of Nature, and to resign it to the public, there and there only is a political or civil society. And this is done wherever any number of men, in the state of Nature, enter into society to make one people one body politic under one supreme government: or else when any one joins himself to, and incorporates with any government already made. For hereby he authorises the society, or which is all one, the legislative thereof, to make laws for him as the public good of the society shall require, to the execution whereof his own assistance (as to his own decrees) is due. And this puts men out of a state of Nature into that of a commonwealth, by setting up a judge on earth with authority to determine all the controversies and redress the injuries that may happen to any member of the commonwealth, which judge is the legislative or magistrates appointed by it. And wherever there are any number of men, however associated, that have no such decisive power to appeal to, there they are still in the state of Nature.

And hence it is evident that absolute monarchy, which by some men is counted for the only government in the world, is indeed inconsistent with civil society, and so can be no form of civil government at all. For the end of civil society being to avoid and remedy those inconveniencies of the state of Nature which necessarily follow from every man's being judge in his own case, by setting up a known authority to which every one of that society may appeal upon any injury received, or controversy that may arise, and which every one of the society ought to obey. Wherever any persons are who have not such an authority to appeal to, and decide any difference between them there, those persons are still in the state of Nature. And so is every absolute prince in respect of those who are under his dominion.

For he being supposed to have all, both legislative and executive, power in himself alone, there is no judge to be found, no appeal lies open to any one, who may fairly and indifferently, and with authority decide, and from whence

relief and redress may be expected of any injury or inconveniency that may be suffered from him, or by his order. So that such a man, however entitled, Czar, or Grand Signior, or how you please, is as much in the state of Nature, with all under his dominion, as he is with the rest of mankind. For wherever any two men are, who have no standing rule and common judge to appeal to on earth, for the determination of controversies of right betwixt them, there they are still in the state of Nature, and under all the inconveniencies of it, with only this woeful difference to the subject, or rather slave of an absolute prince. That whereas, in the ordinary state of Nature, he has a liberty to judge of his right, according to the best of his power to maintain it; but whenever his property is invaded by the will and order of his monarch, he has not only no appeal, as those in society ought to have, but, as if he were degraded from the common state of rational creatures, is denied a liberty to judge of, or defend his right, and so is exposed to all the misery and inconveniencies that a man can fear from one, who being in the unrestrained state of Nature, is yet corrupted with flattery and armed with power.

For he that thinks absolute power purifies men's blood, and corrects the baseness of human nature, need read but the history of this, or any other age, to be convinced to the contrary. . . .

CHAPTER VIII: OF THE BEGINNING OF POLITICAL SOCIETIES

Men being, as has been said, by nature all free, equal and independent, no one can be put out of this estate and subjected to the political power of another without his own consent, which being done by agreeing with other men, to join and unite into a community for their comfortable, safe, and peaceable living, one amongst another, in a secure enjoyment of their properties, and a greater security against any that are not of it. This any number of men may do, because it injures not the freedom of the rest; they are left, as they were, in the liberty of the state of Nature. When any number of men have so consented to make one community or government, they are thereby presently incorporated, and make one body politic, wherein the majority have a right to act and conclude the rest.

For, when any number of men have, by the consent of every individual, made a community, they have thereby made that community one body, with a power to act as one body, which is only by the will and determination of the majority. For that which acts any community, being only the consent of the individuals of it, and it being one body, must move one way, it is necessary the body should move that way whither the greater force carries it, which is the consent of the majority, or else it is impossible it should act or continue one body, one community, which the consent of every individual that united into it agreed that it should; and so every one is bound by that consent to be

concluded by the majority. And therefore we see that in assemblies empowered to act by positive laws where no number is set by that positive law which empowers them, the act of the majority passes for the act of the whole, and of course determines as having, by the law of Nature and reason, the power of the whole.

And thus every man, by consenting with others to make one body politic under one government, puts himself under an obligation to every one of that society to submit to the determination of the majority, and to be concluded by it; or else this original compact, whereby he with others incorporates into one society, would signify nothing, and be no compact if he be left free and under no other ties than he was in before in the state of Nature. For what appearance would there be of any compact? What new engagement if he were no farther tied by any decrees of the society than he himself thought fit and did actually consent to? This would be still as great a liberty as he himself had before his compact, or any one else in the state of Nature, who may submit himself and consent to any acts of it if he thinks fit.

For if the consent of the majority shall not in reason be received as the act of the whole, and conclude every individual, nothing but the consent of every individual can make anything to be the act of the whole, which, considering the infirmities of health and avocations of business, which in a number though much less than that of a commonwealth, will necessarily keep many away from the public assembly; and the variety of opinions and contrariety of interests which unavoidably happen in all collections of men, it is next impossible ever to be had. And, therefore, if coming into society be upon such terms, it will be only like Cato's coming into the theatre, *tantum ut exiret*.² Such a constitution as this would make the mighty leviathan of a shorter duration than the feeblest creatures, and not let it outlast the day it was born in, which cannot be supposed till we can think that rational creatures should desire and constitute societies only to be dissolved. For where the majority cannot conclude the rest, there they cannot act as one body, and consequently will be immediately dissolved again. . . .

Every man being, as has been showed, naturally free, and nothing being able to put him into subjection to any earthly power, but only his own consent, it is to be considered what shall be understood to be a sufficient declaration of a man's consent to make him subject to the laws of any government. There is a common distinction of an express and a tacit consent, which will concern our present case. Nobody doubts but an express consent of any man, entering into any society, makes him a perfect member of that society, a subject of that government. The difficulty is, what ought to be looked upon as a tacit consent,

² [Only to go out again. Cato (234-149 B.C.), a Roman statesman, held puritanical views on the theater.]

and how far it binds—*i.e.*, how far any one shall be looked on to have consented, and thereby submitted to any government, where he has made no expressions of it at all. And to this I say, that every man that hath any possession or enjoyment of any part of the dominions of any government doth hereby give his tacit consent, and is as far forth obliged to obedience to the laws of that government, during such enjoyment, as any one under it, whether this his possession be of land to him and his heirs for ever, or a lodging only for a week; or whether it be barely travelling freely on the highway; and, in effect, it reaches as far as the very being of any one within the territories of that government.

To understand this the better, it is fit to consider that every man when he at first incorporates himself into any commonwealth, he, by his uniting himself thereunto, annexes also, and submits to the community those possessions which he has, or shall acquire, that do not already belong to any other government. For it would be a direct contradiction for any one to enter into society with others for the securing and regulating of property, and yet to suppose his land, whose property is to be regulated by the laws of the society, should be exempt from the jurisdiction of that government to which he himself, and the property of the land, is a subject. By the same act, therefore, whereby any one unites his person, which was before free, to any commonwealth, by the same he unites his possessions, which were before free, to it also; and they become, both of them, person and possession, subject to the government and dominion of that commonwealth as long as it hath a being. Whoever therefore, from thenceforth, by inheritance, purchase, permission, or otherwise, enjoys any part of the land so annexed to, and under the government of that commonwealth, must take it with the condition it is under—that is, of submitting to the government of the commonwealth, under whose jurisdiction it is, as far forth as any subject of it.

But since the government has a direct jurisdiction only over the land and reaches the possessor of it (before he has actually incorporated himself in the society) only as he dwells upon and enjoys that, the obligation any one is under by virtue of such enjoyment to submit to the government begins and ends with the enjoyment; so that whenever the owner, who has given nothing but such a tacit consent to the government will, by donation, sale or otherwise, quit the said possession, he is at liberty to go and incorporate himself into any other commonwealth, or agree with others to begin a new one *in vacuis locis*, in any part of the world they can find free and unpossessed; whereas he that has once, by actual agreement and any express declaration, given his consent to be of any commonwealth, is perpetually and indispensably obliged to be, and remain unalterably a subject to it, and can never be again in the liberty of the

state of Nature, unless by any calamity the government he was under comes to be dissolved.

But submitting to the laws of any country, living quietly and enjoying privileges and protection under them, makes not a man a member of that society; it is only a local protection and homage due to and from all those who, not being in a state of war, come within the territories belonging to any government, to all parts whereof the force of its law extends. But this no more makes a man a member of that society, a perpetual subject of that commonwealth, than it would make a man a subject to another in whose family he found it convenient to abide for some time, though, whilst he continued in it, he were obliged to comply with the laws and submit to the government he found there. And thus we see that foreigners, by living all their lives under another government, and enjoying the privileges and protection of it, though they are bound, even in conscience, to submit to its administration as far forth as any denizen, yet do not thereby come to be subjects or members of that commonwealth. Nothing can make any man so but his actually entering into it by positive engagement and express promise and compact. This is that which, I think, concerning the beginning of political societies, and that consent which makes any one a member of any commonwealth.

CHAPTER IX: OF THE ENDS OF POLITICAL SOCIETY AND GOVERNMENT

If man in the state of Nature be so free as has been said, if he be absolute lord of his own person and possessions, equal to the greatest and subject to nobody, why will he part with his freedom, this empire, and subject himself to the dominion and control of any other power? To which it is obvious to answer, that though in the state of Nature he hath such a right, yet the enjoyment of it is very uncertain and constantly exposed to the invasion of others; for all being kings as much as he, every man his equal, and the greater part no strict observers of equity and justice, the enjoyment of the property he has in this state is very unsafe, very insecure. This makes him willing to quit this condition which, however free, is full of fears and continual dangers; and it is not without reason that he seeks out and is willing to join in society with others who are already united, or have a mind to unite for the mutual preservation of their lives, liberties and estates, which I call by the general name—property.

The great and chief end, therefore, of men uniting into commonwealths, and putting themselves under government, is the preservation of their property; to which in the state of Nature there are many things wanting.

Firstly, there wants an established, settled, known law, received and allowed by common consent to be the standard of right and wrong, and the common measure to decide all controversies between them. For though the law of Na-

ture be plain and intelligible to all rational creatures, yet men, being biased by their interest, as well as ignorant for want of study of it, are not apt to allow of it as a law binding to them in the application of it to their particular cases.

Secondly, in the state of Nature there wants a known and indifferent judge, with authority to determine all differences according to the established law. For every one in that state being both judge and executioner of the law of Nature, men being partial to themselves, passion and revenge is very apt to carry them too far, and with too much heat in their own cases, as well as negligence and unconcernedness, make them too remiss in other men's.

Thirdly, in the state of Nature there often wants power to back and support the sentence when right, and to give it due execution. They who by any injustice offended will seldom fail where they are able by force to make good their injustice. Such resistance many times makes the punishment dangerous and frequently destructive to those who attempt it.

Thus mankind, notwithstanding all the privileges of the state of Nature, being but in an ill condition while they remain in it are quickly driven into society. Hence it comes to pass, that we seldom find any number of men live any time together in this state. The inconveniencies that they are therein exposed to by the irregular and uncertain exercise of the power every man has of punishing the transgressions of others, make them take sanctuary under the established laws of government, and therein seek the preservation of their property. It is this makes them so willingly give up every one his single power of punishing to be exercised by such alone as shall be appointed to it amongst them, and by such rules as the community, or those authorised by them to that purpose, shall agree on. And in this we have the original right and rise of both the legislative and executive power as well as of the governments and societies themselves.

For in the state of Nature to omit the liberty he has of innocent delights, a man has two powers. The first is to do whatsoever he thinks fit for the preservation of himself and others within the permission of the law of Nature; by which law, common to them all, he and all the rest of mankind are one community, make up one society distinct from all other creatures, and were it not for the corruption and viciousness of degenerate men, there would be no need of any other, no necessity that men should separate from this great and natural community, and associate into lesser combinations. The other power a man has in the state of Nature is the power to punish the crimes committed against that law. Both these he gives up when he joins in a private, if I may so call it, or particular political society, and incorporates into any commonwealth separate from the rest of mankind.

The first power—viz., of doing whatsoever he thought fit for the preservation of himself and the rest of mankind, he gives up to be regulated by laws

made by the society, so far forth as the preservation of himself and the rest of that society shall require; which laws of the society in many things confine the liberty he had by the law of Nature.

Secondly, the power of punishing he wholly gives up, and engages his natural force, which he might before employ in the execution of the law of Nature, by his own single authority, as he thought fit, to assist the executive power of the society as the law thereof shall require. For being now in a new state, wherein he is to enjoy many conveniencies from the labour, assistance, and society of others in the same community, as well as protection from its whole strength, he is to part also with as much of his natural liberty, in providing for himself, as the good, prosperity, and safety of the society shall require, which is not only necessary but just, since the other members of the society do the like.

But though men when they enter into society give up the equality, liberty, and executive power they had in the state of Nature into the hands of the society, to be so far disposed of by the legislative as the good of the society shall require, yet it being only with an intention in every one the better to preserve himself, his liberty and property (for no rational creature can be supposed to change his condition with an intention to be worse), the power of the society or legislative constituted by them can never be supposed to extend farther than the common good, but is obliged to secure every one's property by providing against those three defects above mentioned that made the state of Nature so unsafe and uneasy. And so, whoever has the legislative or supreme power of any commonwealth, is bound to govern by established standing laws, promulgated and known to the people, and not by extemporary decrees, by indifferent and upright judges, who are to decide controversies by those laws; and to employ the force of the community at home only in the execution of such laws, or abroad to prevent or redress foreign injuries and secure the community from inroads and invasion. And all this to be directed to no other end but the peace, safety, and public good of the people.

CHAPTER XI: OF THE EXTENT OF THE LEGISLATIVE POWER

The great end of men's entering into society being the enjoyment of their properties in peace and safety, and the great instrument and means of that being the laws established in that society, the first and fundamental positive law of all commonwealths is the establishing of the legislative power, as the first and fundamental natural law which is to govern even the legislative itself is the preservation of the society and (as far as will consist with the public good) of every person in it. This legislative is not only the supreme power of the commonwealth, but sacred and unalterable in the hands where the community have once placed it. Nor can any edict of anybody else, in what form

soever conceived, or by what power soever backed, have the force and obligation of a law which has not its sanction from that legislative which the public has chosen and appointed; for without this the law could not have that which is absolutely necessary to its being a law, the consent of the society, over whom nobody can have a power to make laws but by their own consent and by authority received from them; and therefore all the obedience, which by the most solemn ties any one can be obliged to pay, ultimately terminates in this supreme power, and is directed by those laws which it enacts. Nor can any oaths to any foreign power whatsoever, or any domestic subordinate power, discharge any member of the society from his obedience to the legislative, acting pursuant to their trust, nor oblige him to any obedience contrary to the laws so enacted or farther than they do allow, it being ridiculous to imagine one can be tied ultimately to obey any power in the society which is not the supreme.

Though the legislative, whether placed in one or more, whether it be always in being or only by intervals, though it be the supreme power in every commonwealth, yet, first, it is not, nor can possibly be, absolutely arbitrary over the lives and fortunes of the people. For it being but the joint power of every member of the society given up to that person or assembly which is legislator, it can be no more than those persons had in a state of Nature before they entered into society, and gave it up to the community. For nobody can transfer to another more power than he has in himself, and nobody has an absolute arbitrary power over himself, or over any other, to destroy his own life, or take away the life or property of another. A man, as has been proved, cannot subject himself to the arbitrary power of another; and having, in the state of Nature, no arbitrary power over the life, liberty, or possession of another, but only so much as the law of Nature gave him for the preservation of himself and the rest of mankind, this is all he doth, or can give up to the commonwealth, and by it to the legislative power, so that the legislative can have no more than this. Their power in the utmost bounds of it is limited to the public good of the society. It is a power that hath no other end but preservation, and therefore can never have a right to destroy, enslave, or designedly to impoverish the subjects; the obligations of the law of Nature cease not in society, but only in many cases are drawn closer, and have, by human laws, known penalties annexed to them to enforce their observation. Thus the law of Nature stands as an eternal rule to all men, legislators as well as others. The rules that they make for other men's actions must, as well as their own and other men's actions, be conformable to the law of Nature—*i.e.*, to the will of God, of which that is a declaration, and the fundamental law of Nature being the preservation of mankind, no human sanction can be good or valid against it.

Secondly, the legislative or supreme authority cannot assume to itself a power to rule by extemporary arbitrary decrees, but is bound to dispense justice and decide the rights of the subject by promulgated standing laws, and known authorised judges. For the law of Nature being unwritten, and so nowhere to be found but in the minds of men, they who, through passion or interest, shall miscite or misapply it, cannot so easily be convinced of their mistake where there is no established judge; and so it serves not as it ought, to determine the rights and fence the properties of those that live under it, especially where every one is judge, interpreter, and executioner of it too, and that in his own case; and he that has right on his side, having ordinarily but his own single strength, hath not force enough to defend himself from injuries or punish delinquents. To avoid these inconveniencies which disorder men's properties in the state of Nature, men unite into societies that they may have the united strength of the whole society to secure and defend their properties, and may have standing rules to bound it by which every one may know what is his. To this end it is that men give up all their natural power to the society they enter into, and the community put the legislative power into such hands as they think fit, with this trust, that they shall be governed by declared laws, or else their peace, quiet, and property will still be at the same uncertainty as it was in the state of Nature.

Absolute arbitrary power, or governing without settled standing laws, can neither of them consist with the ends of society and government, which men would not quit the freedom of the state of Nature for, and tie themselves up under, were it not to preserve their lives, liberties, and fortunes, and by stated rules of right and property to secure their peace and quiet. It cannot be supposed that they should intend, had they a power so to do, to give any one or more an absolute arbitrary power over their persons and estates, and put a force into the magistrate's hand to execute his unlimited will arbitrarily upon them; this were to put themselves into a worse condition than the state of Nature, wherein they had a liberty to defend their right against the injuries of others, and were upon equal terms of force to maintain it, whether invaded by a single man or many in combination. Whereas by supposing they have given up themselves to the absolute arbitrary power and will of a legislator, they have disarmed themselves, and armed him to make a prey of them when he pleases; he being in a much worse condition that is exposed to the arbitrary power of one man who has the command of a hundred thousand than he that is exposed to the arbitrary power of a hundred thousand single men, nobody being secure, that his will who has such a command is better than that of other men, though his force be a hundred thousand times stronger. And, therefore, whatever form the commonwealth is under, the ruling power ought to govern by declared and received laws, and not by extemporary dictates

and undetermined resolutions, for then mankind will be in a far worse condition than in the state of Nature if they shall have armed one or a few men with the joint power of a multitude, to force them to obey at pleasure the exorbitant and unlimited decrees of their sudden thoughts, or unrestrained, and till that moment, unknown wills, without having any measures set down which may guide and justify their actions. For all the power the government has, being only for the good of the society, as it ought not to be arbitrary and at pleasure, so it ought to be exercised by established and promulgated laws, that both the people may know their duty, and be safe and secure within the limits of the law, and the rulers, too, kept within their due bounds, and not be tempted by the power they have in their hands to employ it to purposes, and by such measures as they would not have known, and own not willingly.

Thirdly, the supreme power cannot take from any man any part of his property without his own consent. For the preservation of property being the end of government, and that for which men enter into society, it necessarily supposes and requires that the people should have property, without which they must be supposed to lose that by entering into society which was the end for which they entered into it; too gross an absurdity for any man to own. Men, therefore, in society having property, they have such a right to the goods, which by the law of the community are theirs, that nobody hath a right to take them, or any part of them, from them without their own consent; without this they have no property at all. For I have truly no property in that which another can by right take from me when he pleases against my consent. Hence it is a mistake to think that the supreme or legislative power of any commonwealth can do what it will, and dispose of the estates of the subject arbitrarily, or take any part of them at pleasure. This is not much to be feared in governments where the legislative consists wholly or in part in assemblies which are variable, whose members upon the dissolution of the assembly are subjects under the common laws of their country, equally with the rest. But in governments where the legislative is in one lasting assembly, always in being, or in one man as in absolute monarchies, there is danger still, that they will think themselves to have a distinct interest from the rest of the community, and so will be apt to increase their own riches and power by taking what they think fit from the people. For a man's property is not at all secure, though there be good and equitable laws to set the bounds of it between him and his fellow-subjects, if he who commands those subjects have power to take from any private man what part he pleases of his property, and use and dispose of it as he thinks good.

But government, into whosoever hands it is put, being as I have before showed, entrusted with this condition, and for this end, that men might have

and secure their properties, the prince or senate, however it may have power to make laws for the regulating of property between the subjects one amongst another, yet can never have a power to take to themselves the whole, or any part of the subjects' property, without their own consent; for this would be in effect to leave them no property at all. And to let us see that even absolute power, where it is necessary, is not arbitrary by being absolute, but is still limited by that reason, and confined to those ends which required it in some cases to be absolute, we need look no farther than the common practice of martial discipline. For the preservation of the army, and in it of the whole commonwealth, requires an absolute obedience to the command of every superior officer, and it is justly death to disobey or dispute the most dangerous or unreasonable of them; but yet we see that neither the sergeant that could command a soldier to march up to the mouth of a cannon, or stand in a breach where he is almost sure to perish, can command that soldier to give him one penny of his money; nor the general that can condemn him to death for deserting his post, or not obeying the most desperate orders, cannot yet with all his absolute power of life and death dispose of one farthing of that soldier's estate, or seize one jot of his goods; whom yet he can command anything, and hang for the least disobedience. Because such a blind obedience is necessary to that end for which the commander has his power—viz., the preservation of the rest, but the disposing of his goods has nothing to do with it.

It is true governments cannot be supported without great charge, and it is fit every one who enjoys his share of the protection should pay out of his estate his proportion for the maintenance of it. But still it must be with his own consent—*i.e.*, the consent of the majority, giving it either by themselves or their representatives chosen by them; for if any one shall claim a power to lay and levy taxes on the people by his own authority, and without such consent of the people, he thereby invades the fundamental law of property, and subverts the end of government. For what property have I in that which another may by right take when he pleases to himself?

Fourthly. The legislative cannot transfer the power of making laws to any other hands, for it being but a delegated power from the people, they who have it cannot pass it over to others. The people alone can appoint the form of the commonwealth, which is by constituting the legislative, and appointing in whose hands that shall be. And when the people have said, "We will submit, and be governed by laws made by such men, and in such forms," nobody else can say other men shall make laws for them; nor can they be bound by any laws but such as are enacted by those whom they have chosen and authorised to make laws for them.

These are the bounds which the trust that is put in them by the society and

the law of God and Nature have set to the legislative power of every commonwealth, in all forms of government. First: They are to govern by promulgated established laws, not to be varied in particular cases, but to have one rule for rich and poor, for the favourite at Court, and the countryman at plough. Secondly: These laws also ought to be designed for no other end ultimately but the good of the people. Thirdly: They must not raise taxes on the property of the people without the consent of the people given by themselves or their deputies. And this properly concerns only such governments where the legislative is always in being, or at least where the people have not reserved any part of the legislative to deputies, to be from time to time chosen by themselves. Fourthly: Legislative neither must nor can transfer the power of making laws to anybody else, or place it anywhere but where the people have.

CHAPTER XII: THE LEGISLATIVE, EXECUTIVE, AND FEDERATIVE POWER OF THE COMMONWEALTH

The legislative power is that which has a right to direct how the force of the commonwealth shall be employed for preserving the community and the members of it. Because those laws which are constantly to be executed, and whose force is always to continue, may be made in a little time, therefore there is no need that the legislative should be always in being, not having always business to do. And because it may be too great temptation to human frailty, apt to grasp at power, for the same persons who have the power of making laws to have also in their hands the power to execute them, whereby they may exempt themselves from obedience to the laws they make, and suit the law, both in its making and execution, to their own private advantage, and thereby come to have a distinct interest from the rest of the community, contrary to the end of society and government. Therefore in well-ordered commonwealths, where the good of the whole is so considered as it ought, the legislative power is put into the hands of divers persons who, duly assembled, have by themselves, or jointly with others, a power to make laws, which when they have done, being separated again, they are themselves subject to the laws they have made; which is a new and near tie upon them to take care that they make them for the public good.

But because the laws that are at once, and in a short time made, have a constant and lasting force, and need a perpetual execution, or an attendance thereunto, therefore it is necessary there should be a power always in being which should see to the execution of the laws that are made, and remain in force. And thus the legislative and executive power come often to be separated.

There is another power in every commonwealth which one may call natural, because it is that which answers to the power every man naturally had before

he entered into society. For though in a commonwealth the members of it are distinct persons, still, in reference to one another, and, as such, are governed by the laws of the society, yet, in reference to the rest of mankind, they make one body, which is, as every member of it before was, still in the state of Nature with the rest of mankind, so that the controversies that happen between any man of the society with those that are out of it are managed by the public, and an injury done to a member of their body engages the whole in the reparation of it. So that under this consideration the whole community is one body in the state of Nature in respect of all other states or persons out of its community.

This, therefore, contains the power of war and peace, leagues and alliances, and all the transactions with all persons and communities without the commonwealth, and may be called federative if any one pleases. So the thing be understood, I am indifferent as to the name.

These two powers, executive and federative, though they be really distinct in themselves . . . are hardly to be separated and placed at the same time in the hands of distinct persons. For both of them requiring the force of the society for their exercise, it is almost impracticable to place the force of the commonwealth in distinct and not subordinate hands, or that the executive and federative power should be placed in persons that might act separately, whereby the force of the public would be under different commands, which would be apt some time or other to cause disorder and ruin.

CHAPTER XIII: OF THE SUBORDINATION OF THE POWERS OF THE COMMONWEALTH

Though in a constituted commonwealth standing upon its own basis and acting according to its own nature—that is, acting for the preservation of the community, there can be but one supreme power, which is the legislative, to which all the rest are and must be subordinate, yet the legislative being only a fiduciary power to act for certain ends, there remains still in the people a supreme power to remove or alter the legislative, when they find the legislative act contrary to the trust reposed in them. For all power given with trust for the attaining an end being limited by that end, whenever that end is manifestly neglected or opposed, the trust must necessarily be forfeited, and the power devolve into the hands of those that gave it, who may place it anew where they shall think best for their safety and security. And thus the community perpetually retains a supreme power of saving themselves from the attempts and designs of anybody, even of their legislators, whenever they shall be so foolish or so wicked as to lay and carry on designs against the liberties and properties of the subject. For no man or society of men having a power to deliver up their preservation, or consequently the means of it, to the absolute

will and arbitrary dominion of another, whenever any one shall go about to bring them into such a slavish condition, they will always have a right to preserve what they have not a power to part with, and to rid themselves of those who invade this fundamental, sacred, and unalterable law of self-preservation for which they entered into society. And thus the community may be said in this respect to be always the supreme power, but not as considered under any form of government, because this power of the people can never take place till the government be dissolved.

In all cases whilst the government subsists, the legislative is the supreme power. For what can give laws to another must needs be superior to him, and since the legislative is no otherwise legislative of the society but by the right it has to make laws for all the parts, and every member of the society prescribing rules to their actions, and giving power of execution where they are transgressed, the legislative must needs be the supreme, and all other powers in any members or parts of the society derived from and subordinate to it. . . .

It is not necessary—no, nor so much as convenient—that the legislative should be always in being; but absolutely necessary that the executive power should, because there is not always need of new laws to be made, but always need of execution of the laws that are made. . . .

If the legislative, or any part of it, be of representatives, chosen for that time by the people, which afterwards return into the ordinary state of subjects, and have no share in the legislative but upon a new choice, this power of choosing must also be exercised by the people, either at certain appointed seasons, or else when they are summoned to it; and, in this latter case, the power of convoking the legislative is ordinarily placed in the executive, and has one of these two limitations in respect of time:—that either the original constitution requires their assembling and acting at certain intervals; and then the executive power does nothing but ministerially issue directions for their electing and assembling according to due forms; or else it is left to his prudence to call them by new elections when the occasions or exigencies of the public require the amendment of old or making of new laws, or the redress or prevention of any inconveniencies that lie on or threaten the people.

It may be demanded here, what if the executive power, being possessed of the force of the commonwealth, shall make use of that force to hinder the meeting and acting of the legislative, when the original constitution or the public exigencies require it? I say, using force upon the people, without authority, and contrary to the trust put in him that does so, is a state of war with the people, who have a right to reinstate their legislative in the exercise of their power. For having erected a legislative with an intent they should exercise the power of making laws, either at certain set times, or when there

is need of it, when they are hindered by any force from what is so necessary to the society, and wherein the safety and preservation of the people consists, the people have a right to remove it by force. In all states and conditions the true remedy of force without authority is to oppose force to it. The use of force without authority always puts him that uses it into a state of war as the aggressor, and renders him liable to be treated accordingly. . . .

CHAPTER XVIII: OF TYRANNY

As usurpation is the exercise of power which another hath a right to, so tyranny is the exercise of power beyond right, which nobody can have a right to; and this is making use of the power any one has in his hands, not for the good of those who are under it, but for his own private, separate advantage. When the governor, however entitled, makes not the law, but his will, the rule, and his commands and actions are not directed to the preservation of the properties of his people, but the satisfaction of his own ambition, revenge, covetousness, or any other irregular passion.

If one can doubt this to be truth or reason because it comes from the obscure hand of a subject, I hope the authority of a king will make it pass with him. King James, in his speech to the Parliament, 1603, tells them thus: "I will ever prefer the weal of the public and of the whole commonwealth, in making of good laws and constitutions, to any particular and private ends of mine, thinking ever the wealth and weal of the commonwealth to be my greatest weal and worldly felicity—a point wherein a lawful king doth directly differ from a tyrant; for I do acknowledge that the special and greatest point of difference that is between a rightful king and an usurping tyrant is this—that whereas the proud and ambitious tyrant doth think his kingdom and people are only ordained for satisfaction of his desires and unreasonable appetites, the righteous and just king doth, by the contrary, acknowledge himself to be ordained for the procuring of the wealth and property of his people." And again, in his speech to the Parliament, 1609, he hath these words: "The king binds himself, by a double oath, to the observation of the fundamental laws of his kingdom—tacitly, as by being a king, and so bound to protect, as well the people as the laws of his kingdom; and expressly by his oath at his coronation; so as every just king, in a settled kingdom, is bound to observe that paction made to his people, by his laws, in framing his government agreeable thereunto, according to that paction which God made with Noah after the deluge: 'Hereafter, seed-time, and harvest, and cold, and heat, and summer, and winter, and day, and night, shall not cease while the earth remaineth.' And therefore a king, governing in a settled kingdom, leaves to be a king, and degenerates into a tyrant, as soon as he leaves off to rule according to his laws." And a little after: "There-

fore, all kings that are not tyrants, or perjured, will be glad to bound themselves within the limits of their laws, and they that persuade them the contrary are vipers, pests, both against them and the commonwealth." Thus, that learned king, who well understood the notions of things, makes the difference betwixt a king and a tyrant to consist only in this: that one makes the laws the bounds of his power and the good of the public the end of his government; the other makes all give way to his own will and appetite.

It is a mistake to think this fault is proper only to monarchies. Other forms of government are liable to it as well as that; for whcrever the power that is put in any hands for the government of the people and the preservation of their properties is applied to other ends, and made use of to impoverish, harass, or subdue them to the arbitrary and irregular commands of those that have it, there it presently becomes tyranny, whether those that thus use it are one or many. Thus we read of the thirty tyrants at Athens, as well as one at Syracuse; and the intolerable dominion of the Decemviri at Rome was nothing better.

Wherever law ends, tyranny begins, if the law be transgressed to another's harm; and whosoever in authority exceeds the power given him by the law, and makes use of the force he has under his command to compass that upon the subject which the law allows not, ceases in that to be a magistrate, and acting without authority may be opposed, as any other man who by force invades the right of another. This is acknowledged in subordinate magistrates. He that hath authority to seize my person in the street may be opposed as a thief and a robber if he endeavours to break into my house to execute a writ, notwithstanding that I know he has such a warrant and such a legal authority as will empower him to arrest me abroad. And why this should not hold in the highest, as well as in the most inferior magistrate, I would gladly be informed. Is it reasonable that the eldest brother, because he has the greatest part of his father's estate, should thereby have a right to take away any of his younger brothers' portions? Or that a rich man, who possessed a whole country, should from thence have a right to seize, when he pleased, the cottage and garden of his poor neighbour? The being rightfully possessed of great power and riches, exceedingly beyond the greatest part of the sons of Adam, is so far from being an excuse, much less a reason for rapine and oppression, which the endamaging another without authority is, that it is a great aggravation of it. For exceeding the bounds of authority is no more a right in a great than a petty officer, no more justifiable in a king than a constable. But so much the worse in him as that he has more trust put in him, is supposed, from the advantage of education and counsellors, to have better knowledge and less reason to do it, having already a greater share than the rest of his brethren.

May the commands, then, of a prince be opposed? May he be resisted, as

often as any one shall find himself aggrieved, and but imagine he has not right done him? This will unhinge and overturn all polities, and instead of government and order, leave nothing but anarchy and confusion.

To this I answer: That force is to be opposed to nothing but to unjust and unlawful force. Whoever makes any opposition in any other case draws on himself a just condemnation, both from God and man; and so no such danger or confusion will follow, as is often suggested. . . .

If either these illegal acts have extended to the majority of the people, or if the mischief and oppression has light only on some few, but in such cases as the precedent and consequences seem to threaten all, and they are persuaded in their consciences that their laws, and with them, their estates, liberties, and lives are in danger, and perhaps their religion too, how they will be hindered from resisting illegal force used against them I cannot tell. This is an inconvenience, I confess, that attends all governments whatsoever, when the governors have brought it to this pass, to be generally suspected of their people, the most dangerous state they can possibly put themselves in; wherein they are the less to be pitied, because it is so easy to be avoided. . . .

CHAPTER XIX: OF THE DISSOLUTION OF GOVERNMENT

He that will, with any clearness, speak of the dissolution of government, ought in the first place to distinguish between the dissolution of the society and the dissolution of the government. That which makes the community, and brings men out of the loose state of Nature into one politic society, is the agreement which every one has with the rest to incorporate and act as one body, and so be one distinct commonwealth. The usual, and almost only way whereby this union is dissolved, is the inroad of foreign force making a conquest upon them. For in that case (not being able to maintain and support themselves as one entire and independent body) the union belonging to that body, which consisted therein, must necessarily cease, and so every one return to the state he was in before, with a liberty to shift for himself and provide for his own safety, as he thinks fit, in some other society. Whenever the society is dissolved, it is certain the government of that society cannot remain. Thus conquerors' swords often cut up governments by the roots, and mangle societies to pieces, separating the subdued or scattered multitude from the protection of and dependence on that society which ought to have preserved them from violence. The world is too well instructed in, and too forward to allow of this way of dissolving of governments, to need any more to be said of it; and there wants not much argument to prove that where the society is dissolved, the government cannot remain; that being as impossible as for the frame of a house to subsist when the materials of it are scattered and dis-

placed by a whirlwind, or jumbled into a confused heap by an earthquake.

Besides this overturning from without, governments are dissolved from within:

First. When the legislative is altered, civil society being a state of peace amongst those who are of it, from whom the state of war is excluded by the umpirage which they have provided in their legislative for the ending all differences that may arise amongst any of them; it is in their legislative that the members of a commonwealth are united and combined together into one coherent living body. This is the soul that gives form, life, and unity to the commonwealth; from hence the several members have their mutual influence, sympathy, and connection; and therefore when the legislative is broken, or dissolved, dissolution and death follows. For the essence and union of the society consisting in having one will, the legislative, when once established by the majority, has the declaring and, as it were, keeping of that will. The constitution of the legislative is the first and fundamental act of society, whereby provision is made for the continuation of their union under the direction of persons and bonds of laws, made by persons authorised thereunto, by the consent and appointment of the people, without which no one man, or number of men, amongst them can have authority of making laws that shall be binding to the rest. When any one, or more, shall take upon them to make laws whom the people have not appointed so to do, they make laws without authority, which the people are not therefore bound to obey; by which means they come again to be out of subjection, and may constitute to themselves a new legislative, as they think best, being in full liberty to resist the force of those who, without authority, would impose anything upon them. Every one is at the disposal of his own will, when those who had, by the delegation of the society, the declaring of the public will, are excluded from it, and others usurp the place who have no such authority or delegation.

This being usually brought about by such in the commonwealth, who misuse the power they have, it is hard to consider it aright, and know at whose door to lay it, without knowing the form of government in which it happens. Let us suppose, then, the legislative placed in the concurrence of three distinct persons:—First, a single hereditary person having the constant, supreme, executive power, and with it the power of convoking and dissolving the other two within certain periods of time. Secondly, an assembly of hereditary nobility. Thirdly, an assembly of representatives chosen, *pro tempore*, by the people. Such a form of government supposed, it is evident:

First, that when such a single person or prince sets up his own arbitrary will in place of the laws which are the will of the society declared by the legislative, then the legislative is changed. For that being, in effect, the legisla-

tive whose rules and laws are put in execution, and required to be obeyed, when other laws are set up, and other rules pretended and enforced than what the legislative, constituted by the society, have enacted, it is plain that the legislative is changed. Whoever introduces new laws, not being thereunto authorised, by the fundamental appointment of the society, or subverts the old, disowns and overturns the power by which they were made, and so sets up a new legislative.

Secondly, when the prince hinders the legislative from assembling in its due time, or from acting freely, pursuant to those ends for which it was constituted, the legislative is altered. For it is not a certain number of men—no, nor their meeting, unless they have also freedom of debating and leisure of perfecting what is for the good of the society, wherein the legislative consists; when these are taken away, or altered, so as to deprive the society of the due exercise of their power, the legislative is truly altered. For it is not names that constitute governments, but the use and exercise of those powers that were intended to accompany them; so that he who takes away the freedom, or hinders the acting of the legislative in its due seasons, in effect takes away the legislative, and puts an end to the government.

Thirdly, when, by the arbitrary power of the prince, the electors or ways of election are altered without the consent and contrary to the common interest of the people, there also the legislative is altered. For if others than those whom the society hath authorised thereunto do choose, or in another way than what the society hath prescribed, those chosen are not the legislative appointed by the people.

Fourthly, the delivery also of the people into the subjection of a foreign power, either by the prince or by the legislative, is certainly a change of the legislative, and so a dissolution of the government. For the end why people entered into society being to be preserved one entire, free, independent society, to be governed by its own laws, this is lost whenever they are given up into the power of another.

Why, in such a constitution as this, the dissolution of the government in these cases is to be imputed to the prince is evident, because he, having the force, treasure, and offices of the State to employ, and often persuading himself or being flattered by others, that, as supreme magistrate, he is incapable of control; he alone is in a condition to make great advances towards such changes under pretence of lawful authority, and has it in his hands to terrify or suppress opposers as factious, seditious, and enemies to the government; whereas no other part of the legislative, or people, is capable by themselves to attempt any alteration of the legislative without open and visible rebellion, apt enough to be taken notice of, which, when it prevails, produces effects

very little different from foreign conquest. Besides, the prince, in such a form of government, having the power of dissolving the other parts of the legislative, and thereby rendering them private persons, they can never, in opposition to him, or without his concurrence, alter the legislative by a law, his consent being necessary to give any of their decrees that sanction. But yet so far as the other parts of the legislative any way contribute to any attempt upon the government, and do either promote, or not, what lies in them, hinder such designs, they are guilty, and partake in this, which is certainly the greatest crime men can be guilty of one towards another.

There is one way more whereby such a government may be dissolved, and that is: When he who has the supreme executive power neglects and abandons that charge, so that the laws already made can no longer be put in execution; this is demonstratively to reduce all to anarchy, and so effectively to dissolve the government. For laws not being made for themselves, but to be, by their execution, the bonds of the society to keep every part of the body politic in its due place and function; when that totally ceases, the government visibly ceases, and the people become a confused multitude without order or connection. Where there is no longer the administration of justice for the securing of men's rights, nor any remaining power within the community to direct the force, or provide for the necessities of the public, there certainly is no government left. Where the laws cannot be executed it is all one as if there were no laws, and a government without laws is, I suppose, a mystery in politics inconceivable to human capacity, and inconsistent with human society.

In these, and the like cases, when the government is dissolved, the people are at liberty to provide for themselves by erecting a new legislative differing from the other by the change of persons, or form, or both, as they shall find it most for their safety and good. For the society can never, by the fault of another, lose the native and original right it has to preserve itself, which can only be done by a settled legislative and a fair and impartial execution of the laws made by it. But the state of mankind is not so miserable that they are not capable of using this remedy till it be too late to look for any. To tell people they may provide for themselves by erecting a new legislative, when, by oppression, artifice, or being delivered over to a foreign power, their old one is gone, is only to tell them they may expect relief when it is too late, and the evil is past cure. This is, in effect, no more than to bid them first be slaves, and then to take care of their liberty, and, when their chains are on, tell them they may act like free men. This, if barely so, is rather mockery than relief, and men can never be secure from tyranny if there be no means to escape it till they are perfectly under it; and, therefore, it is that they have not only a right to get out of it, but to prevent it.

There is, therefore, secondly, another way whereby governments are dissolved, and that is, when the legislative, or the prince, either of them act contrary to their trust.

For the legislative acts against the trust reposed in them when they endeavour to invade the property of the subject, and to make themselves, or any part of the community, masters or arbitrary disposers of the lives, liberties, or fortunes of the people.

The reason why men enter into society is the preservation of their property; and the end while they choose and authorise a legislative is that there may be laws made, and rules set, as guards and fences to the properties of all the society, to limit the power and moderate the dominion of every part and member of the society. For since it can never be supposed to be the will of the society that the legislative should have a power to destroy that which every one designs to secure by entering into society, and for which the people submitted themselves to legislators of their own making: whenever the legislators endeavour to take away and destroy the property of the people, or to reduce them to slavery under arbitrary power, they put themselves into a state of war with the people, who are thereupon absolved from any farther obedience, and are left to the common refuge which God hath provided for all men against force and violence. Whensoever, therefore, the legislative shall transgress this fundamental rule of society, and either by ambition, fear, folly, or corruption, endeavour to grasp themselves, or put into the hands of any other, an absolute power over the lives, liberties, and estates of the people, by this breach of trust they forfeit the power the people had put into their hands for quite contrary ends, and it devolves to the people, who have a right to resume their original liberty, and by the establishment of a new legislative (such as they shall think fit), provide for their own safety and security, which is the end for which they are in society. What I have said here concerning the legislative in general holds true also concerning the supreme executor, who having a double trust put in him, both to have a part in the legislative and the supreme execution of the law, acts against both, when he goes about to set up his own arbitrary will as the law of the society. He acts also contrary to his trust when he employs the force, treasure, and offices of the society to corrupt the representatives and gain them to his purposes, when he openly pre-engages the electors, and prescribes, to their choice, such whom he has, by solicitation, threats, promises, or otherwise, won to his designs, and employs them to bring in such who have promised beforehand what to vote and what to enact. Thus to regulate candidates and electors, and new model the ways of election, what is it but to cut up the government by the roots, and poison the very fountain of public security? For the people having reserved to themselves the choice

of their representatives as the fence to their properties, could do it for no other end but that they might always be freely chosen, and so chosen, freely act and advise as the necessity of the commonwealth and the public good should, upon examination and mature debate, be judged to require. This, those who give their votes before they hear the debate, and have weighed the reasons on all sides, are not capable of doing. To prepare such an assembly as this, and endeavour to set up the declared abettors of his own will, for the true representatives of the people, and the law-makers of the society, is certainly as great a breach of trust, and as perfect a declaration of a design to subvert the government, as is possible to be met with. To which, if one shall add rewards and punishments visibly employed to the same end, and all the arts of perverted law made use of to take off and destroy all that stand in the way of such a design, and will not comply and consent to betray the liberties of their country, it will be past doubt what is doing. What power they ought to have in the society who thus employ it contrary to the trust went along with it in its first institution, is easy to determine; and one cannot but see that he who has once attempted any such thing as this cannot any longer be trusted.

To this, perhaps, it will be said that the people being ignorant and always discontented, to lay the foundation of government in the unsteady opinion and uncertain humour of the people, is to expose it to certain ruin; and no government will be able long to subsist if the people may set up a new legislative whenever they take offence at the old one. To this I answer, quite the contrary. People are not so easily got out of their old forms as some are apt to suggest. They are hardly to be prevailed with to amend the acknowledged faults in the frame they have been accustomed to. And if there be any original defects, or adventitious ones introduced by time or corruption, it is not an easy thing to get them changed, even when all the world sees there is an opportunity for it. This slowness and aversion in the people to quit their old constitutions has in the many revolutions which have been seen in this kingdom, in this and former ages, still kept us to, or after some interval of fruitless attempts, still brought us back again to our old legislative of king, lords and commons; and whatever provocations have made the crown be taken from some of our princes' heads, they never carried the people so far as to place it in another line.

But it will be said this hypothesis lays a ferment for frequent rebellion. To which I answer:

First: no more than any other hypothesis. For when the people are made miserable, and find themselves exposed to the ill usage of arbitrary power, cry up their governors as much as you will for sons of Jupiter, let them be sacred and divine, descended or authorised from Heaven; give them out for whom

or what you please, the same will happen. The people generally ill treated, and contrary to right, will be ready upon any occasion to ease themselves of a burden that sits heavy upon them. They will wish and seek for the opportunity, which in the change, weakness, and accidents of human affairs, seldom delays long to offer itself. He must have lived but a little while in the world, who has not seen examples of this in his time; and he must have read very little who cannot produce examples of it in all sorts of governments in the world.

Secondly: I answer, such revolutions happen not upon every little mismanagement in public affairs. Great mistakes in the ruling part, many wrong and inconvenient laws, and all the slips of human frailty will be borne by the people without mutiny or murmur. But if a long train of abuses, prevarications, and artifices, all tending the same way, make the design visible to the people, and they cannot but feel what they lie under, and see whither they are going, it is not to be wondered that they should then rouse themselves, and endeavour to put the rule into such hands which may secure to them the ends for which government was at first erected, and without which, ancient names and specious forms are so far from being better, that they are much worse than the state of Nature or pure anarchy; the inconveniencies being all as great and as near, but the remedy farther off and more difficult.

Thirdly: I answer, that this power in the people of providing for their safety anew by a new legislative when their legislators have acted contrary to their trust by invading their property, is the best fence against rebellion, and the probablest means to hinder it. For rebellion being an opposition, not to persons, but authority, which is founded only in the constitutions and laws of the government: those, whoever they be, who, by force, break through, and, by force, justify their violation of them, are truly and properly rebels. For when men, by entering into society and civil government, have excluded force, and introduced laws for the preservation of property, peace, and unity amongst themselves, those who set up force again in opposition to the laws, do *rebellare*—that is, bring back again the state of war, and are properly rebels, which they who are in power, by the pretence they have to authority, the temptation of force they have in their hands, and the flattery of those about them being likeliest to do, the properest way to prevent the evil is to show them the danger and injustice of it who are under the greatest temptation to run into it.

In both the forementioned cases, when either the legislative is changed, or the legislators act contrary to the end for which they were constituted, those who are guilty are guilty of rebellion. For if any one by force takes away the established legislative of any society, and the laws by them made, pursuant to their trust, he thereby takes away the umpirage which every one had con-

sented to for a peaceable decision of all their controversies, and a bar to the state of war amongst them. They who remove or change the legislative take away this decisive power, which nobody can have but by the appointment and consent of the people, and so destroying the authority which the people did, and nobody else can set up, and introducing a power which the people hath not authorised, actually introduce a state of war, which is that of force without authority; and thus by removing the legislative established by the society, in whose decisions the people acquiesced and united as to that of their own will, they untie the knot, and expose the people anew to the state of war. And if those, who by force take away the legislative, are rebels, the legislators themselves, as has been shown, can be no less esteemed so, when they who were set up for the protection and preservation of the people, their liberties and properties shall by force invade and endeavour to take them away; and so they putting themselves into a state of war with those who made them the protectors and guardians of their peace, are properly, and with the greatest aggravation, *rebellantes*, rebels.

But if they who say it lays a foundation for rebellion mean that it may occasion civil wars or intestine broils to tell the people they are absolved from obedience when illegal attempts are made upon their liberties or properties, and may oppose the unlawful violence of those who were their magistrates when they invade their properties, contrary to the trust put in them, and that, therefore, this doctrine is not to be allowed, being so destructive to the peace of the world; they may as well say, upon the same ground, that honest men may not oppose robbers or pirates, because this may occasion disorder or bloodshed. If any mischief come in such cases, it is not to be charged upon him who defends his own right, but on him that invades his neighbour's. If the innocent honest man must quietly quit all he has for peace sake to him who will lay violent hands upon it, I desire it may be considered what a kind of peace there will be in the world which consists only in violence and rapine, and which is to be maintained only for the benefit of robbers and oppressors. Who would not think it an admirable peace betwixt the mighty and the mean, when the lamb, without resistance, yielded his throat to be torn by the imperious wolf? Polyphemus's den gives us a perfect pattern of such a peace. Such a government wherein Ulysses and his companions had nothing to do but quietly to suffer themselves to be devoured. And no doubt Ulysses, who was a prudent man, preached up passive obedience, and exhorted them to a quiet submission by representing to them of what concernment peace was to mankind, and by showing the inconveniencies might happen if they should offer to resist Polyphemus, who had now the power over them.

The end of government is the good of mankind; and which is best for man-

kind, that the people should be always exposed to the boundless will of tyranny, or that the rulers should be sometimes liable to be opposed when they grow exorbitant in the use of their power, and employ it for the destruction, and not the preservation, of the properties of their people?

Nor let any one say that mischief can arise from hence as often as it shall please a busy head or turbulent spirit to desire the alteration of the government. It is true such men may stir whenever they please, but it will be only to their own just ruin and perdition. For till the mischief be grown general, and the ill designs of the rulers become visible, or their attempts sensible to the greater part, the people, who are more disposed to suffer than right themselves by resistance, are not apt to stir. The examples of particular injustice or oppression of here and there an unfortunate man moves them not. But if they universally have a persuasion grounded upon manifest evidence that designs are carrying on against their liberties, and the general course and tendency of things cannot but give them strong suspicions of the evil intention of their governors, who is to be blamed for it? Who can help it if they, who might avoid it, bring themselves into this suspicion? Are the people to be blamed if they have the sense of rational creatures, and can think of things no otherwise than as they find and feel them? And is it not rather their fault who put things in such a posture that they would not have them thought as they are? I grant that the pride, ambition, and turbulency of private men have sometimes caused great disorders in commonwealths, and factions have been fatal to states and kingdoms. But whether the mischief hath oftener begun in the people's wantonness, and a desire to cast off the lawful authority of their rulers, or in the rulers' insolence and endeavours to get and exercise an arbitrary power over their people, whether oppression or disobedience gave the first rise to the disorder, I leave it to impartial history to determine. This I am sure, whoever, either ruler or subject, by force goes about to invade the rights of either prince or people, and lays the foundation for overturning the constitution and frame of any just government, he is guilty of the greatest crime I think a man is capable of, being to answer for all those mischiefs of blood, rapine, and desolation, which the breaking to pieces of governments bring on a country; and he who does it is justly to be esteemed the common enemy and pest of mankind, and is to be treated accordingly.

That subjects or foreigners attempting by force on the properties of any people may be resisted with force is agreed on all hands; but that magistrates doing the same thing may be resisted, hath of late been denied; as if those who had the greatest privileges and advantages by the law had thereby a power to break those laws by which alone they were set in a better place than their brethren; whereas their offence is thereby the greater; both as being un-

grateful for the greater share they have by the law, and breaking also that trust which is put into their hands by their brethren.

Whosoever uses force without right—as every one does in society who does it without law—puts himself into a state of war with those against whom he so uses it, and in that state all former ties are cancelled, all other rights cease, and every one has a right to defend himself, and to resist the aggressor. This is so evident that Barclay himself—that great assertor of the power and sacredness of kings—is forced to confess that it is lawful for the people, in some cases, to resist their king, and that, too, in a chapter wherein he pretends to show that the Divine law shuts up the people from all manner of rebellion. Whereby it is evident, even by his own doctrine, that since they may, in some cases, resist, all resisting of princes is not rebellion. . . .

To conclude. The power that every individual gave the society when he entered into it can never revert to the individuals again, as long as the society lasts, but will always remain in the community; because without this there can be no community—no commonwealth, which is contrary to the original agreement; so also when the society hath placed the legislative in any assembly of men, to continue in them and their successors, with direction and authority for providing such successors, the legislative can never revert to the people whilst that government lasts; because, having provided a legislative with power to continue for ever, they have given up their political power to the legislative, and cannot resume it. But if they have set limits to the duration of their legislative, and made this supreme power in any person or assembly only temporary; or else when, by the miscarriages of those in authority, it is forfeited; upon the forfeiture of their rulers, or at the determination of the time set, it reverts to the society, and the people have a right to act as supreme, and continue the legislative in themselves or place it in a new form, or new hands, as they think good.

XI

THE ENLIGHTENMENT: BACKGROUND AND IDEALS

DENIS DIDEROT

THE THIRTEENTH and the eighteenth centuries have this in common: each produced an all-embracing intellectual synthesis—the former in the *Summa Theologica* of St. Thomas and the latter in the *Encyclopédie, ou Dictionnaire raisonné des arts, des sciences et des métiers* (*Encyclopedia, or Rational Dictionary of the Arts, Sciences, and Crafts*) of Denis Diderot (1713–84) and Jean-le-Rond d'Alembert (1717–83). Each of these vast compilations possessed a central reference point from which to measure the relevance and determine the relative significance of all particular facts and events—each possessed a set of axiomatic beliefs about the nature and destiny of man. That these two world-views—five centuries apart—were frequently in diametrical opposition to each other in no way invalidates the comparison. In fact, the historian Carl Becker has suggested that the world-view of the *philosophes* was merely the medieval cosmology, recast in a naturalistic rhetoric. Thus the Christian Heaven becomes an apocalyptic “heavenly city” to be achieved on earth through the works of enlightened human beings. With natural reason supplanting Christian “grace,” “redemption” is translated into “enlightenment.” The *Encyclopédie*, then, is reminiscent of a medieval *summa*, not only in its objective of imparting an order to all species of knowledge, but in its occasional casuistry.

Diderot was the principal editor and author of the *Encyclopedia* and assumed particular responsibility for the sections on the industrial arts, while Alembert looked after pure science. Originally projected in eight folio volumes, with two more volumes of plates, the enterprise expanded as it went forward until it ultimately comprised seventeen volumes of text and eleven of illustrations. The first volume appeared in June, 1751, and was eagerly received by the reading public not only of France but of all Europe. Soon there were over four thousand purchasers, each of whom paid a total price equal to about \$1,000 in present-day values. In addition, many others were able to consult the work in public reading rooms.

Despite the fact that official censors read and approved every page of the *Encyclopedia* before it was set up in type, the first few volumes drew the fire of scandalized prelates and theologians, and especially that of the Jesuits. The latter may have feared, in addition, that their *Dictionnaire de Trévoux* was in danger of being driven off the market by the new work. After a crisis in 1752, growing out of the over-hasty approval and subsequent ignominious disavowal by the Sorbonne of a rather unorthodox doctoral thesis written by the young Abbé de Prades, one of Diderot's collaborators, the first two volumes of the *Encyclopedia* were suppressed by the authorities. Continued harassment by clericals and by the Parlement of Paris made the editors' task progressively more difficult. Rousseau broke with the Encyclopedists and then attacked many of the ideas he had formerly shared with them. Some of the less dedicated members of the staff, including Alembert, withdrew from the enterprise in discouragement or disgust. Voltaire remained loyal, but did not always give the kind or the amount of help that Diderot felt he had a right to expect. Finally, in 1759, in the wave of repression touched off by a fanatic's

attempt on the life of Louis XV (1757) and augmented by the furor that followed the appearance of Helvétius's audacious *De l'esprit* (1758), the *Encyclopédia* was deprived of its license to publish, and the government ordered a refund to subscribers for the volumes they had paid for in advance but had not yet received. To the great relief of Diderot and his employers, not a single subscriber came forward to claim his money; bankruptcy was avoided by arranging that the amounts already paid in would be credited toward the forthcoming volumes of illustrations which the authorities allowed to continue.

Refusing the invitations of Catherine II and Frederick the Great to finish his task in Russia or Prussia, Diderot—with the connivance of highly placed sympathizers such as Malesherbes (head of the government censorship) and Sartine (head of the Parisian police)—laboriously completed the last ten volumes of text in “secrecy,” in haste, and almost singlehandedly between 1759 and 1763. Though they appeared in 1765 with three asterisks in place of his name and bore the name of a fictitious Swiss publisher on their title page, these volumes were, ironically enough, printed in Paris on presses that had belonged to the Jesuits before their expulsion from France in 1764! Diderot, however, felt little sense of personal triumph, for he had discovered only when it was too late to do anything about it that his timid publisher had treacherously cut out a number of his more telling passages and had mutilated others in the hope of appeasing the opposition. (We now know that the damage was much less extensive than Diderot believed.) His bitterness was increased by his knowledge that his publishers had cleared more than a million *livres* in profits, while he had earned scarcely more than an artisan's wages for the twenty-five years of labor that had worn out his health and his eyesight.

Still the battle had been won, for between 1770 and the Revolution of 1789 the enemies of the *Encyclopédia* commanded no more than a feeble and faltering hold on French public opinion. The dominant spirit was that of the *philosophes*, and they no longer encountered more than token opposition. Restrictions on the expression of their views virtually ceased to operate, and the diffusion of their ideas among the literate middle and upper classes of French society went on unimpeded.

The following selection is from Diderot's article “Encyclopedia” in Volume V of the *Encyclopédia* itself and has been translated from the French.



THE ENCYCLOPEDIA

ENCYCLOPEDIA, noun, feminine gender. (Philosophy.) This word signifies unity of knowledge [*enchaînement des sciences*]; it is made up of the Greek prefix EN, *in*, and the nouns KYKLOS, *circle*, and PAIDEIA, *instruction, science, knowledge*. In truth, the aim of an Encyclopedia is to collect all the knowledge that now lies scattered over the face of the earth, to make known its general structure to the men among whom we live, and to transmit it to those who

will come after us, in order that the labors of past ages may be useful to the ages that will follow, that our grandsons, as they become better educated, may become at the same time more virtuous and more happy, and that we may not die without having deserved well of the human race.

It would have been difficult to set for oneself a more enormous task than that of dealing with everything that relates to man's curiosity, his duties, his needs, and his pleasures. Accordingly some people, accustomed as they are to judging of the feasibility of an enterprise by the poverty of their own resources, have asserted that we would never finish our task. (See the [Jesuits'] *Dictionnaire de Trévoux*, the latest edition, at the word *Encyclopedia*.) They will hear from us in answer only this passage from the writings of Chancellor Bacon, which seems to be addressed especially to them: "Those works are possible which may be accomplished by some person, though not by every one; which may be done by many, though not by one; which may be completed in the course of ages, though not within the span of one man's life; and which may be attained by public effort, though not by private endeavor." [Francis Bacon, *The Advancement of Learning*, Book II, Ch. I.]

When one comes to reflect upon the immense subject matter of an Encyclopedia, the one thing that one perceives distinctly is that it cannot be the work of a single man. For how could one man, in the short space of his lifetime, hope to know and describe the universal system of nature and of art, seeing that the humorous and erudite society of academicians of La Crusca has taken forty years to compose its dictionary and that the members of our French Academy worked sixty years on their *Dictionary* before publishing the first edition of it? Yet what is a linguistic dictionary, what is a compilation of the words of a language, assuming that it is executed as perfectly as possible? It is a very exact résumé of the articles to be included in a systematic encyclopedic dictionary.

But a single man, it may be said, can master all existing knowledge and can make such use as he desires of all the riches that other men have piled up. I cannot agree with this assumption. I am unable to believe that it is within the power of a single man to know all that can be known; to make use of all the knowledge that exists; to see all that is to be seen; to understand all that is comprehensible. Even if a systematic dictionary of the sciences and of the arts were to be nothing but a methodical collection of elementary principles, I would still want to know who is capable of discerning what is fundamental, and I would still ask who is the proper person to compose the elementary explanations; whether the description of the fundamental principles of a science or art should be a pupil's first attempt or the mature work of a master. . . .

We shall have to conclude, then, that a good dictionary can never be brought to completion without the cooperation of a large number of special talents, because definitions of words are in no way different from definitions of things, and because a thing cannot be well defined or described except by those who have made a long study of it. But if this is indeed the case, what would not be required for the execution of a work which, far from being limited to the definition of words, aims to describe in detail all that pertains to things?

A systematic universal dictionary of the arts and sciences cannot, therefore, be the work of one man alone. I will go further and say that I do not believe it can be done by any of the learned or literary societies that now exist, taken singly or together.

The French Academy could furnish for an Encyclopedia only that which pertains to language and its usage; the Academy of Inscriptions and Belles-Lettres, only knowledge relating to ancient and modern profane history, to chronology, to geography, and to literature; the Sorbonne, only theology, sacred history, and superstitions; the Academy of Sciences, only mathematics, natural history, physics, chemistry, medicine, anatomy, and the like; the Academy of Surgery, only the art of the surgeon; that of Painting, only painting, sculpture, engraving, drawing, architecture, and related topics; the University, only that which we understand by the humanities, scholastic philosophy, jurisprudence, printing, and the like.

Run through the other societies that I may have omitted and you will find that each is occupied with a single field of knowledge—all of which is doubtless within the purview of an Encyclopedia—but that each neglects an infinite number of other subjects that must be included. You will not find any single one that can provide you with that fund of general knowledge which you want. Better yet, lay them all tribute, and you will discover how many things are still lacking; you will be obliged to have recourse to a large number of men of different sorts and conditions—men of genius to whom the gates of the Academies are closed by reason of their low rank in the social scale. There are too many members of these learned companies if one's need is simply for human knowledge; there are not enough in all these societies if one is in search of a general science of man. . . .

Having thought very seriously about the matter I believe that the special task of an academician should be the advancement of the branch of learning to which he is attached. He should strive for immortality by writing books that would have nothing to do with the Academy and would not form part of its collections, but would be published under his own name. The Academy, for its part, should take as its task the assembling of all that is published on each subject. It should digest this information, clarify it, condense it, arrange

it in an orderly way, and publish it in the form of treatises in which no topic would occupy more space than it deserves nor assume any importance except that which could not be denied it. How many of the memoirs that burden our collections would furnish not one single line to treatises of this kind!

An Encyclopedia ought to make good the failure thus far to execute this project and should embrace not only the fields already covered by the academies, but each and every branch of human knowledge. It is a work that cannot be completed except by a society of men of letters and of skilled workmen, each working separately on his own part and bound together only by their zeal for the best interests of the human race and by a feeling of mutual good will. . . .

If the government were to meddle with a work of this sort it would never be finished. All that the authorities ought to do is to encourage its completion. A monarch may, by a single word, cause a palace to rise up out of the grass; but a society of men of letters is not the same thing as a gang of laborers. An Encyclopedia cannot be produced on order. It is a task that needs rather to be pursued with perseverance than to be begun with ardor. An enterprise of this sort may on occasion be proposed in the course of a conversation at court; but the interest which it arouses in such circles is never great enough to prevent its being forgotten amidst the tumult and confusion of an infinite number of more or less pressing affairs. Literary projects which great noblemen conceive are like the leaves that appear in the spring, grow dry in the autumn and fall in a heap in the midst of the forest, where the sustenance that they give to a few sterile plants is all the effect that they can be seen to produce. . . .

The most important consideration, however, and one that lends added weight to the previous ones, is that an Encyclopedia, like a dictionary, must be begun, carried forward, and completed within a certain period of time. But sordid self-interest always exerts itself to prolong any work that a king has commissioned. If one should devote to a universal and systematic Dictionary all the long years that the vast scope of its subject matter seems to require, it would come about, thanks to the revolutionary changes which are scarcely less rapid in the arts and sciences than in language, that this Dictionary would be a hundred years out of date, just as a dictionary of language which was composed slowly could end only by being a list of the words used in a past century. . . .

Revolutionary changes may be less abrupt and less obvious in the sciences and liberal arts than in the mechanical arts, but one has nonetheless occurred. One needs only to open the dictionaries of the last century; one will not find under the word "aberration" the slightest hint of what our astronomers understand by this term; on "electricity," that extremely promising phenomenon, there will be found but a few lines which contain nothing but false notions

and ancient prejudices. How many terms are there relating to mincralogy or natural history of which the same could be said! If our own dictionary had been undertaken a little earlier we should have been obliged to repeat on . . . the diseases of grain and on the grain trade all the errors of past ages because the discoveries of M. Tillet and the methods of M. Herbert are very recent.

When one discusses the phenomena of nature, what more can one do than to summarize as scrupulously as possible all their known properties at the time of writing? But observation and experimental science unceasingly multiply both phenomena and data, and rational philosophy, by comparing and combining them, continually extends or narrows the range of our knowledge and consequently causes the meanings of accepted words to undergo change, renders their former definitions inaccurate, false, or incomplete, and even compels the introduction of new words.

But the circumstance that will give a superannuated appearance to the work and bring it the public's scorn will be above all the revolution that will occur in the minds of men and in the national character. Today, when philosophy is advancing with gigantic strides, when it is bringing under its sway all the matters which are its proper concern, when its tone is the dominant one, and when we are beginning to shake off the yoke of authority and tradition in order to hold fast to the laws of reason, there is scarcely a single elementary or dogmatic book which satisfies us entirely. . . . Philosophy knows only rules that are grounded in the nature of things, and this nature is external and immutable. Let the last century furnish examples of genius; it is for our own age to prescribe the rules. . . .

. . . The individual has but a certain quantity of energy both physical and intellectual. He enjoys but a short span of existence, he is constrained to alternate labor with repose; he has both instincts and bodily needs to satisfy, and he is the prey of an infinite number of distractions. Whenever the negative elements in this equation add up to the smallest possible sum, or whenever the positive elements add up to the largest possible sum, a man working alone in some branch of human knowledge will be able to carry it as far as it is capable of being carried by the efforts of one man. Add to the labors of this extraordinary individual those of another like him, and of still others, until you have filled up the whole interval of time between one scientific revolution and the revolution most remote from it in time, and you will be able to form some notion of the greatest perfection attainable by the whole human race—especially if you take for granted a certain number of accidental circumstances favorable to its labors and which might have diminished its success had they been adverse.

But the general mass of the human race is not so made that it can either follow or understand this forward march of the human spirit. The highest degree of enlightenment that this mass can achieve is strictly limited; hence it follows that there will always be literary achievements which will be above the capacities of the generality of men; there will be others which little by little will fall below that level; and there will be still others which will have both these fates.

No matter to what state of perfection an Encyclopedia may be brought, it is clear from the very nature of such a work that it will necessarily be found among this last class of works. There are many things that are in daily use among the common people, things from which they draw their livelihood, and they are incessantly busy gaining a practical knowledge of these things. As many treatises as you like may be written about these matters, and still there will come a time when the practical man will know more about them than the writer of the book. There are other subjects about which the ordinary man will remain almost totally ignorant because the daily accretions to his fund of knowledge are too feeble and too slow ever to form any considerable sum of enlightenment, even if you suppose them to be uninterrupted.

Hence both the man of the people and the learned man will always have equal reasons for desiring an Encyclopedia and for seeking to learn from it.

The most glorious moment for a work of this sort would be that which would come immediately in the wake of some catastrophe so great as to suspend the progress of science, interrupt the labors of craftsmen, and plunge a portion of our hemisphere into darkness once again. What gratitude would not be lavished by the generation that came after this time of troubles upon those men who had discerned the approach of disaster from afar, who had taken measures to ward off its worst ravages by collecting in a safe place the knowledge of all past ages! . . .

Both the real universe and the world which may be grasped only by the mind have an infinite number of aspects by which they may be made comprehensible, and the number of possible "systems of human knowledge" is as large as the number of these points of view. The only one that would be free from all arbitrariness is, as I have said in our "Prospectus," the system that existed from all eternity in the mind of God. The system according to which one would begin with this eternal Being and then descend from Him to all the lesser beings that have emanated from His bosom in the course of time—this plan would resemble the astronomical hypothesis in which the scientist transports himself in imagination to the center of the sun so as to be able to calculate there the behavior of the heavenly bodies that surround him. It is a

scheme that has both simplicity and grandeur, but one may discern in it a defect that would be serious in a work composed by men of science and addressed to all men in all ages to come. This is the fault of being too closely tied to our prevailing theology—a sublime science and undoubtedly useful by reason of the knowledge that the Christian receives from it, but even more useful by reason of the sacrifices which it demands of him and the rewards which it promises to him.

As for this general system from which all that is arbitrary would be excluded—a system that we mortals can never hope to possess—perhaps it would not be so great an advantage, after all, to possess it. For what would be the difference between reading a book in which all the hidden springs of the universe were laid bare and the actual study of the universe itself? Virtually none: we shall never be capable of understanding more than a certain portion of this great book. To the extent that our impatience and our curiosity—which dominate us and so frequently interrupt the course of our observations—intervened to trouble the orderly conduct of our reading, to that extent would our knowledge become as disjointed as it actually is. Losing the chain of inductive logic, and ceasing to perceive the connections between one step and those that precede and follow it, we would speedily come upon the same voids and the same uncertainties. We are now busy trying to fill up these voids by means of the study of nature; we would still be busy trying to fill them up if we possessed and could meditate upon that immense book of which I have spoken; but the book would seem no more perfect to our eyes than would the universe itself, and so would be no less exposed to our presumptuous doubts and objections.

Inasmuch as an absolutely perfect general plan would in no way supply the deficiencies arising from the weakness of our understanding, let us instead take hold of those things that are bound up with our human condition, being content to make our way upward from them toward some more general notions. The more the point of view from which we approach our subject is elevated, the more territory it will reveal to us, the more grand and instructive will be the orderly prospect which we shall survey. It follows that the order must be simple, for there is rarely any grandeur without simplicity; it must be clear and easy to grasp, not a tortuous maze in which one would go astray and never see anything beyond the point where one was standing; it must rather be a vast, broad avenue extending far into the distance, intersected by others laid out with equal care, each leading by the easiest and shortest way to a remote and single destination.

And there is another consideration that must especially be kept in view. I mean that if one banishes man, that thinking and contemplating entity, from the face of the earth, then this sublime and moving spectacle of nature will

be but a sad and silent scene; the universe is hushed; darkness and silence regain their sway. All is changed into a vast solitude where unobserved phenomena take their course unseen and unheard. It is only the presence of man that makes the existence of other beings significant. What better plan, then, in writing the history of these beings, than to subordinate oneself to this consideration? Why should we not introduce man into our Encyclopedia, giving him the same place that he occupies in the universe? Why should we not make him the common center of all that is? Is there, in all infinite space, any point from which we could more advantageously originate the immense lines which we plan to extend to all the other points? How lively and pleasing would not be the ensuing relations between man and other beings, between other beings and man!

For this reason we have decided to seek in man's principal faculties the main divisions within which our work will fall. Another method might be equally satisfactory, provided it did not put a cold, insensitive, silent being in the place of man. For man is the unique starting point, and the end to which everything must finally be related if one wishes to please, to instruct, to move to sympathy, even in matters the most arid and in the driest details. Take away my own existence and that of my fellow men and what do I care for the rest of nature?

. . . In scientific writings it is the logical connection of ideas or of phenomena that directs our progress step by step as we advance; the subject is developed either by becoming more general or by descending to particulars, depending upon our choice of method. The same will hold true of the general form of articles in the *Encyclopedia*, but with the difference that in our dictionary we shall, thanks to the coordination of articles, enjoy advantages which one can scarcely procure in the case of a scientific treatise, save at the expense of some sacrifice of quality. The use of *cross-references*, the most important part of the encyclopedic scheme, will provide us with these opportunities.

I have in mind two sorts of cross-reference; one concerned with words and the other with things. Cross-references to things clarify the subject, indicate its close connections with other subjects that touch it directly as well as its more remote connections with still other matters that might otherwise be thought irrelevant, suggest common elements and analogous principles; they also put added stress on elements of internal consistency within groups of facts, elaborate upon the connections that each special branch of knowledge has with the parent tree, and give to the whole that unity so favorable to the establishment of truth and to its propagation. Moreover, whenever the occasion demands they will also lend themselves to the contrary purpose—they will confront one

theory with a contrary one, they will show how some principles contrast with others, they will attack, undermine, and secretly overthrow certain ridiculous opinions which no one would dare to oppose openly. When the author is impartial, they will always have the double function of confirming and of confuting, of disturbing and of conciliating.

There should be a great scope for ingenuity and an infinite advantage for the authors in these latter cross-references. From them the work as a whole should acquire an inner force and a secret efficacy, the silent effects of which will necessarily be felt with the passage of time. Each time, for instance, that a national prejudice seems to merit respect it will be necessary, in the article specially devoted to it, to discuss it respectfully and to surround it with all its panoply of probability and attractiveness; but by giving cross-references to articles where solid principles serve as foundation for the diametrically opposed truths we shall be able to throw down the whole edifice of mud and scatter the idle heap of dust. This method of putting men on the right path works very promptly upon good minds, and it operates unfailingly, without the least undesirable effect, secretly and unostentatiously, upon all minds. This is the way to lead people, by a series of tacit deductions, to the most daring conclusions. If these cross-references, which now confirm and now refute, are carried out artistically according to a plan carefully conceived in advance, they will give to the *Encyclopedia* the character that every good dictionary ought to have—the ability to change men's common way of thinking.

Finally, there is a kind of cross-reference—it can refer either to words or to things—which I should like to call satirical or epigrammatic. Such, for example, is the one to be found in one of our articles where, at the end of a pompous eulogy, one reads: "See CAPUCHON." The comic word *capuchon* [monk's hood] together with what the reader will find under the heading CAPUCHON can easily lead him to suspect that the pompous eulogy was meant ironically, and that it is wise to read the article with the utmost precaution and with attention to the careful weighing of every word.

I should not like to suppress altogether this kind of reference, because they are often very useful. One can aim them secretly against certain ridiculous customs in the same way that the philosophical reference is directed against certain prejudices. They frequently afford a delicate and amusing way to pay back an insult without even seeming to put oneself on the defensive, and they offer an excellent means of snatching off the masks of certain grave personages.

We have had occasion to learn [in the course of our editorial labors] that the *Encyclopedia* is a work that could be attempted only in a philosophical

century; that this age has indeed dawned; and that posterity, while raising to immortality the names of those who will bring it to perfection in the future, will perhaps not disdain to retain our own names. We have felt ourselves spurred on by the ever so agreeable and consoling idea that men would also speak to one another about us when we shall have ceased to exist; we have been encouraged by hearing from the mouths of a few of our contemporaries that seductive murmur which has given us some hint of what will be said of us by those happy and enlightened men in whose interests we have sacrificed ourselves, whom we esteem and whom we love, even though they have not yet been born. . . .

I have often thought how fortunate a nation would be if it never produced a man of exceptional ability under whose aegis an art still in its infancy would make its first too-rapid and too-ambitious steps forward, thereby interrupting its natural, imperceptible rhythm of development. The works of such a man must necessarily be a monstrous composite for the reason that genius and good taste are two different things. Nature bestows the first in an instant; the second is the product of centuries. These monsters come to be models for the whole nation; they determine standards of taste for a whole people. Men of talent who come later find that a preference in favor of the earlier genius has taken so firm a hold that they dare not affront it. The idea of what is beautiful will then grow dim, just as the idea of what is good would grow dim among savages who fell into an attitude of excessive veneration for some chieftain of dubious character who might have earned their gratitude by his pre-eminent services to them or by his fortunate vices. In morality only God should serve men as a model, and in the arts, only nature. When the arts and sciences advance by imperceptible degrees, one man will not differ enough from another man to inspire the latter with awe, to lay the foundations of a new style or to form the national taste. Consequently nature and reason are safeguarded in all their rights. Should these have been lost, they are on the point of being recovered; we shall go on to show how important it is that we should be able to recognize and to seize upon such a moment.

As long as the centuries continue to unfold, the number of books will grow continually, and one can predict that a time will come when it will be almost as difficult to learn anything from books as from the direct study of the whole universe. It will be almost as convenient to search for some bit of truth concealed in nature as it will be to find it hidden away amidst an immense multitude of bound volumes. When that time comes, a project, until then neglected because the need for it was not felt, will have to be undertaken.

If you will reflect upon the state of literary production in those ages before

the introduction of printing, you will have a picture of a small number of gifted men occupied with composing manuscripts and a very numerous body of workmen busy transcribing them. If you look ahead to a future age, and consider the state of literature after the printing press, which never rests, has filled immense buildings with books, you will find again a twofold division of labor. Some will not do very much reading, but will instead devote themselves to investigations which will be new, or which they will believe to be new (for if we are even now ignorant of a part of what is contained in so many volumes published in all sorts of languages, they will know still less of what is contained in those same books, augmented as these will be by a hundred, a thousand times as many more). The others, day laborers incapable of producing anything of their own, will be busy night and day leafing through these books, taking out of them those fragments that they consider worthy of being collected and preserved. Has not this prediction already begun to be fulfilled? And are not several of our literary men already engaged in reducing all big books to little ones, among which there are still to be found many that are superfluous? Let us assume that their extracts have been competently made, and that these have been arranged in alphabetical order and published in an orderly series of items by men of intelligence—you have an *Encyclopedia!*

Thus we have now undertaken, in the interests of learning and for the sake of the human race, a task to which our grandsons would have had to devote themselves, but we have done so under much more favorable circumstances, before a superabundance of books should have accumulated to make its execution extremely laborious.

Because it is at least as important to make men better as it is to make them less ignorant, I should not be at all displeased if someone were to make a collection of all the most striking instances of virtuous behavior. These would have to be carefully verified, and then they could be arranged under various headings which they would illuminate and make vivid. Why should we be so concerned to preserve the history of men's thoughts to the neglect of the history of their [unselfish] actions? Is not the latter the more useful? Is it not the latter that does the most honor to the human race? I have no wish to see evil deeds preserved; it would be better if they had never taken place. Men have no need of bad examples, nor has human nature any need of being further cried down. It should not be necessary to make any mention of discreditable actions except when these have been followed—not by the loss of the evildoer's life and worldly goods, which is all too often the sad consequence of virtuous behavior—but by a turn of events whereby misdeeds have made a wicked man

wretched and despised in the midst of the most splendid rewards gained by his crimes. . . .

One must, of course, be especially careful to avoid adulation. But as for praise that is deserved, it would be highly unjust to give it only to the cold and inert ashes of those who can no longer hear it. And should the principle of equity, which requires the bestowing of praise, give way to the modesty of those who do not wish to receive it? Praise is an encouragement to virtue; it is a public contract that you cause the virtuous man to enter into. If all good deeds were inscribed on a marble column would he lose sight, even for a moment, of this imposing monument? Would not this be one of the strongest supports that one could lend to human weakness? [Upon doing wrong] this man would be obliged to shatter his own statue with his own hands. The praise of one honest man is the sweetest and most worthy reward that another good man can hope for; after that of one's own conscience the approval of an upright man is the most flattering. Oh, Rousseau, my dear and worthy friend! I have never been able to refuse the praise you have given me, and I feel that it has increased my devotion to truth as well as my love of virtue. . . .

Whoever assumes responsibility for writing the part of [a future] Encyclopedia devoted to the mechanical arts will never be able to perform his task to his own satisfaction or to that of others unless he has made a profound study of natural history (especially of mineralogy), unless he is expert in things mechanical, unless he is well versed in theoretical as well as experimental physics, and unless he has made extensive studies of chemistry. . . .

Armed with these scientific attainments, our author will begin by drawing up a plan of classification according to which the various branches of industry will be attached to the natural substances which they transform. This will always be a workable plan, for the history of the arts and crafts is nothing but *the history of nature put to use*.

Then he will sketch out for each workman a canvas whose outlines are to be filled in. He will require each one to discuss the materials he uses, the places from which he procures these, the prices that he pays for them, . . . the tools he uses, the products he makes, and the whole series of operations he performs.

He will compare the memoranda furnished by craftsmen with his original sketch; he will confer with them; he will make them supply orally any details they may have omitted and explain whatever they may have left obscure.

However bad these memoranda may be, when written in good faith they will always be found to contain an infinite number of things which the most intelligent of men would never have perceived unaided, would never even

have suspected, and hence could never have asked about. Indeed, he will wish to know still more, but these matters will be part of the trade secrets which workmen never reveal to anyone. I myself have found from experience that people who continually busy themselves with something are equally disposed to believe either that everyone knows those things which they are at no pains to hide, or that no one else knows anything about the things they are trying to keep secret. The result is that they are always ready to mistake any person who questions them either for a transcendent genius or for an idiot.

During the time when the workmen are filling out their questionnaires, the author may busy himself with correcting the articles which our *Encyclopedia* will have handed down to him. It will not take him long to see that, despite all the pains we have been to, a few gross errors have slipped in, and that there are whole articles in which there is not a shadow of common sense; but he will learn from his own experience to be grateful to us for those parts that are well done and to forgive us for those that are poor. Above all, once he has made the rounds of the workshops over a certain period of time, money in hand, and once he has been made to pay dearly for the most ridiculous fabrications, he will know what sort of people these artisans are—especially here in Paris, where fear of the tax-collector keeps them in a perpetual state of mistrust, and where they regard every man who questions them at all closely either as a spy for the farmers-general or as a rival craftsman who wants to set up shop. . . .

One must indicate the origin of each art and follow its progress step by step whenever these steps are known; or, if they are not, conjecture and hypothetical history must be substituted for the historical reality. One can be sure that in such cases the imagined story will often be more instructive than the truth could possibly be.

But it is not the same with the origin and progress of an art or trade as it is with the origin and progress of a science. Learned men discuss things with each other, they write, they call attention to their discoveries, they contradict one another and are contradicted. These disputes make the facts plain and establish dates. Craftsmen, by contrast, live isolated, obscure, unknown lives; everything they do is done to serve their own interests; they almost never do anything for the sake of glory. There have been inventions that have stayed for whole centuries in the closely guarded custody of a single family; they are passed from father to son; they undergo improvement or they degenerate without anyone's knowing to whom or to what time their discovery is to be assigned. The imperceptible steps by which an art develops necessarily make dates meaningless. . . .

Generally chance prompts the first experiments; either these are unfruitful

and remain unknown, or someone else takes them up and obtains some successful results, but not enough to attract much attention. A third follows in the footsteps of the second, a fourth in the footsteps of the third, and so on until at last someone gets excellent results—this final product is the first to create a sensation. Or again, it may happen that an idea has scarcely made its appearance in a workshop before it bursts forth and spreads far and wide. People work at the same thing in several places; each one performs the same manipulations on his own initiative; and the same invention results. It is claimed by several people at the same time; it really belongs to no one; and it is attributed to the man who first makes a fortune out of it. If the invention is taken over from a foreign country, national jealousy suppresses the name of the inventor and his name remains unknown.

It would be most desirable if the government would give permission to enter its own workshops, to observe the operations, to question the workmen, and to make drawings of the tools and machines and even of the rooms themselves.

There are trades where the craftsmen are so secretive that the shortest way of gaining the necessary information would be to bind oneself out to some master as an apprentice or to have this done by some trustworthy person. There would be few secrets that one would fail to ferret out by this method; all would have to be divulged without any exception.

I know that this desire for an end to secrecy is not shared by everyone. There are narrow minds, ill-formed souls, who are indifferent to the fate of the human race, and who are so completely absorbed in their own petty social group that they can see nothing that lies beyond the boundaries of its special interests. These men insist that they deserve the title of good citizens, and I will allow it to them provided they will permit me to call them *bad men*. To listen to them one would say that a well-executed *Encyclopedia*, a general history of the industrial arts, should take only the form of a huge manuscript that would be carefully locked up in the king's library, hidden away from all other eyes but his, a state document and not a popular book. What is the good of divulging the knowledge a nation possesses, its secret dealings, its inventions, its industrial processes, its resources, its trade secrets, its enlightenment, its arts, and all its wisdom! Is it not to these things that it partly owes its superiority over the rival nations that surround it? This is what they say; but this is what one might add. Would it not be a fine thing if, instead of enlightening the foreigner, we could spread darkness over him and so plunge all the rest of the world into barbarism? People who argue thus do not realize that they occupy only a single point on our globe and that they will endure only an instant. At this point and this instant they would sacrifice the happiness of future ages and that of the whole human species.

They know as well as anyone that the average duration of empires is not two thousand years, and that in a briefer period of time, perhaps, the name *Frenchman*—a name that will endure forever in history—will be sought after in vain on the surface of the earth. Such considerations do not appreciably broaden the views of such persons; it seems that the word *Humanity* is for them a word without meaning. Even so, they should be consistent! Yet in the very next breath they deliver tirades against the impenetrability of the Egyptian sanctuaries; they deplore the loss of the knowledge of the ancients; they are full of blame for the silence or negligence of [ancient] authors who have omitted something essential, or who speak so cryptically of many important subjects; and these critics do not see that they are demanding of the writers of earlier ages something that they call a crime when a present-day writer does it, that they are blaming others for doing what they think it honorable to do.

These "good citizens" are the most dangerous enemies that we have had [in our capacity as editors].

In general we have tried to profit from criticism without responding in our own defense when the criticism was sound; we have ignored all attacks that were without foundation. Is it not a sufficiently pleasant prospect for those who have been zealously blackening paper with attacks on us that if the *Encyclopedia* retains ten years hence the reputation it enjoys today, there will no longer be any one to read their scribblings—and that if the *Encyclopedia* is forgotten, their diatribes will be even more completely so!

CLAUDE ADRIEN HELVÉTIUS

PROBABLY THE OUTSTANDING popularizer of the radical conclusions that were drawn by French thinkers from the psychological theories of John Locke, Claude Adrien Helvétius (1715-71) figures as an historical link connecting the rationalism of the early eighteenth century with the utilitarianism of Bentham and with the positivism of Comte. His hostility to supernatural religion sets him apart as something of an extremist among the *philosophes*, who, for the most part, held to the deistic faith of Locke, Voltaire, and Rousseau. Helvétius thus appears as a representative of the *avant-garde* naturalistic tendencies implicit or explicit in the thinking of Diderot and his fellow Encyclopedists. Although his reliance on reason and his confidence in the power of education to transform society reflect the temper of the Enlightenment, this does not mean that Helvétius shared some of his contemporaries' "optimistic" view of human nature. Indeed, his description of the world's creatures as a "multitude of beings destined to devour each other" recalls Hobbesian assumptions and was later to recur in various forms with certain romanticists and social Darwinists of the nineteenth century and with Freudian thought in the twentieth. Helvétius conceives of education not merely as pedagogy or "instruction" but as a struggle of man to reconcile his basic egoism with the many dimensions of societal, political, familial, and moral life. This struggle must be never-ending, for Helvétius observes that even when a man has become "happy," and thus "humane," he is ever "the couching lion."

Helvétius was the grandson of a Dutch apothecary who had settled in Paris in the late seventeenth century and who had laid the foundations of a large fortune by securing a monopoly of the new drug, ipecacuanha, which he was able to sell in large quantities after he had successfully used it to cure the dauphin of dysentery. After completing undistinguished studies with the Jesuits, Helvétius was initiated by a maternal uncle into the mysteries of finance. When he was twenty-three, his family purchased for him a share in the financial syndicate (the *Ferme Générale*) that enjoyed the lucrative privilege of collecting many royal taxes. This post brought Helvétius a princely income of 100,000 *livres* a year, much of which he spent in relieving the poor and in supporting needy artists and writers. He dabbled in literature and cultivated the acquaintance of such eminent authors as Voltaire, Montesquieu, and Diderot. He was interested in agricultural improvement and in the development of rural industry, and he lived eight months of the year on his country estate. In 1751 he sold his interest in the *Ferme Générale* because he felt that its profits were too large to be morally or socially defensible.

He had long been friendly with Diderot, Alembert, and their collaborators on the staff of the *Encyclopédie*, from whom he may well have acquired much of his advanced education in political and social theory. At any rate, he was identified with them in the public mind, and in 1758 his publication of *De l'esprit*, a rather reckless attack on orthodox ideas and institutions, brought down upon him and his friends the combined wrath of Parlement, University, episcopate, government, and papacy. His book, together with the *Encyclopédie* and several kindred works,

was condemned and suppressed in the following year by all these authorities, and he managed to escape severe punishment only by making public a series of retractions and apologies.

Helvétius published nothing further in his own lifetime, but he was no sooner safely in the grave than a second treatise, *De l'homme* (1772), presented his leading ideas in sharper and less guarded language to a public that had meanwhile been more thoroughly prepared for them thanks to the successful clandestine publication of the *Encyclopedia*. The following selections have been taken from W. Hooper's translation of this work from the French: *A Treatise on Man; His Intellectual Faculties and His Education* (2 vols., London, 1810).



A TREATISE ON MAN

Section I. The Education Necessarily Different in Different Men Is Perhaps the Cause of That Inequality of Understandings Hitherto Attributed to the Unequal Perfection of Their Organs

CHAPTER I: NO TWO PERSONS RECEIVE THE SAME EDUCATION

I STILL LEARN; my instruction is not yet finished: when will it be? When I shall be no longer sensible; at my death. The course of my life is properly nothing more than a long course of education.

What is necessary in order that two individuals should receive precisely the same education? That they should be in precisely the same positions and the same circumstances. Now such an hypothesis is impossible: it is therefore evident, that no two persons can receive the same instructions.

But why put off the term of our education to the utmost period of life? Why not confine it to the time expressly set apart for instruction, that is, to the period of infancy and adolescence?

I am content to confine it to that period; and I will prove in like manner, that it is impossible for two men to acquire precisely the same ideas.

CHAPTER II: OF THE MOMENT AT WHICH EDUCATION BEGINS

It is at the very instant a child receives motion and life that it receives its first instruction: it is sometimes even in the womb where it is conceived, that it learns to distinguish between sickness and health. The mother however delivered, the child struggles and cries; hunger grips it, it feels a want, and that want opens its lips, makes it seize, and greedily suck the nourishing breast. When some months have passed, its sight is distinct, its organs are fortified, it becomes by degrees susceptible of all impressions; then the senses

of seeing, hearing, tasting, touching, smelling, in a word, all the inlets to the mind are set open; then all the objects of nature rush thither in crowds, and engrave an infinity of ideas in the memory. In these first moments what can be true instructors of infancy? The various sensations it feels: these are so many instructions it receives.

If two children have the same preceptor, if they are taught to distinguish their letters, to read and repeat their catechism, &c. they are supposed to receive the same education. The philosopher judges otherwise: according to him, the true preceptors of a child are the objects that surround him; these are the instructors to whom he owes almost all his ideas. . . .

Section II. All Men, Commonly Well Organized, Have an Equal Aptitude to Understanding

CHAPTER IV: HOW THE MIND ACTS

All the operations of the mind are reducible to the observing of the resemblances and differences, the agreements and disagreements that objects have among themselves and with respect to us. The justness of the mind or judgment depends on the greater or less attention with which its observations are made.

Would I know the relations certain objects have to each other? What must I do? I place before my eyes, or present to my memory two or more of these objects; and then I compare them. But what is this comparison? *It is an alternate and attentive observation of the different impressions which these objects, present, or absent, make on me.*¹ This observation made, I judge, that is, I make an exact report of the impressions I have received.

Am I, for example, anxious to distinguish between two shades of the same color, that are almost indistinguishable; I examine a long time and successively two pieces of cloth tinged with these two shades. *I compare them*, that is, *I regard them alternately*. I am very attentive to the different impressions the reflected rays of these two patterns make on my eyes, and I at last determine, that one of them is of a deeper color than the other; that is to say, I make an exact report of the impressions I have received. Every other judgment would be false. All judgment therefore is nothing more than a *recital of the two sensations, either actually proved, or preserved in my memory.*²

When I observe the relation objects have to me, I am in like manner atten-

¹ If the memory, the preserver of impressions received, makes me perceive, in the absence of the objects, nearly the same sensations that they excite in me when present, it is indifferent, with regard to the question here discussed, whether the objects of which I form a judgment, be presented to my eyes, or my memory.

² There can be no judgment without memory: as I have proved in the preceding chapter.

tive to the impressions I receive. These impressions are either agreeable or disagreeable. Now in either case what is judging? *To tell what I feel*. Am I struck on the head? Is the pain violent? The simple recital of what I feel forms my judgment.

I shall only add one word to what I have here said, which is, that with regard to the judgments formed of the relations which objects have to each other, or to us, there is a difference, which though of little importance in appearance, deserves however to be remarked.

When we are to judge of the relation which objects bear to each other, we must have at least two of them before our eyes. But when we judge of the relation an object has to ourselves, it is evident, as every object can excite a sensation, that one alone is sufficient to produce a judgment.

From this observation I conclude, that every assertion concerning the relation of objects to each other, supposes a comparison of those objects; every comparison a trouble; every trouble an efficacious motive to take it. But on the contrary, when we are to observe the relation of an object to ourselves, that is to say, a sensation, that sensation, if it be lively, becomes itself the efficacious motive to excite our attention.

Every sensation of this kind, therefore, invariably produces a judgment. I shall not stop longer at this observation, but repeat, agreeably to what I have said above, that in every case, to *judge* is to *feel*.

This being settled, all the operations of the mind are reduced to mere sensations. Why then admit in man a faculty of judging distinct from the faculty of sensation. But this is the general opinion: I own it; and it even ought to be so. We say, I perceive, and I compare; there is therefore in man a faculty of judging and comparing, distinct from the faculty of sensation. This method of reasoning is sufficient to impose on the greatest part of mankind. However, to show its fallacy, it is only necessary to fix a clear idea to the word *compare*. When this word is properly elucidated, it will be found to express no one real operation of the mind; that the business of comparing, as I have before said, is nothing else than *rendering ourselves attentive to the different impressions excited in us by objects actually before our eyes, or present to our memory*; and consequently, that all judgment is nothing more than *the pronouncing upon sensations experienced*.

But if the judgment formed from the comparison of material objects be nothing more than mere sensations, is it the same with every other sort of judgment?

CHAPTER V: OF SUCH JUDGMENTS AS RESULT FROM THE COMPARISON OF IDEAS THAT ARE ABSTRACTED, COLLECTIVE, &c.

The words weakness, strength, smallness, greatness, crime, &c. do not represent any substance, that is, any body; how then can the judgments resulting from the comparison of such words, or ideas, be reduced to mere sensations? I answer, that as these words do not represent any ideas, it is impossible, so long as we do not apply them to any sensible and particular object, to form any judgment about them. But when they are applied by design, or imperceptibly, to some determinate object, then the word *great* will express a relation, that is, a certain difference or resemblance observed between objects present to our sight, or to our memory. Now the judgment formed of ideas, that by this application become material, will be, as I have repeatedly said, nothing more than the pronouncing of sensations felt. . . .

Every idea whatever may therefore, in its ultimate analysis, be always reduced to material facts or sensations. Some obscurity is thrown on discussions of this kind by the vague significations of a certain number of words, and the trouble that is sometimes necessary to deduce clear ideas from them. Perhaps it is as difficult to analyze some of these expressions, and to reduce them, if I may so say, to their constituent ideas, as it is in chemistry to decompose certain bodies. However, let us but apply the method and attention necessary in this decomposition, and we shall not fail of success.

What is here said will be sufficient to convince the discerning reader, that every idea and every judgment may be reduced to a sensation. It would be therefore unnecessary, in order to explain the different operations of the mind, to admit a faculty of judging and comparing distinct from the faculty of sensation. But what, it may be asked, is the principle or motive that makes us compare objects with each other, and gives us the necessary attention to observe their relations? Interest, which is in like manner, as I am going to show, an effect of corporeal sensibility.

CHAPTER VI: WHERE THERE IS NO INTEREST THERE IS NO COMPARISON OF OBJECTS WITH EACH OTHER

All comparison of objects with each other supposes attention, all attention a trouble, and all trouble a motive for exerting it. If there could exist a man without desire, he would not compare any objects, or pronounce any judgment; but he might still judge of the immediate impressions of objects on himself, supposing their impressions to be strong. Their strength becoming a motive to attention, would carry with it a judgment. It would not be the same if the sensation were weak; he would then have no knowledge or re-

membrance of the judgment it had occasioned. A man surrounded by an infinity of objects, must necessarily be affected by an infinity of sensations, and consequently form an infinity of judgments; but he forms them unknown to himself. Why? Because these judgments are of the same nature with the sensations. If they make an impression that is effaced as soon as made, the judgments formed on these impressions are of the same sort; they leave no remembrance. There is in fact no man who does not, without perceiving it, make every day an infinity of reasonings, of which he is not conscious. I will take, for example, those that attend almost all the rapid motions of our bodies.

When in the dance, Vestris makes a capriole rather than an entrechat, when Moté in the fencing-school thrusts tierce rather than quart, if there be no effect without a cause, Vestris and Moté must be determined by reasons too rapid, if I may so say, to be perceived. So the motion I make with my hand when a body is going to strike my eye, may be reduced to nearly the same; experience tells me, that my hand can resist without pain the blow of a body that would deprive me of sight: my eyes moreover are dearer to me than my hand: I ought therefore to expose my hand to save my eyes. There is no person that would not use the same reasoning in the same situation; but this habitual reasoning is not so rapid, but that we perceive the moment we have put the hand before the eye, the action and the cause of action. Now how many sensations are there of the nature of these habitual reasonings? How many weak sensations that do not fix our attention, or produce in us either consciousness or remembrance?

There are moments when the strongest sensations are, in some measure, imperceptible. I fight, and am wounded. I continue the combat, and perceive not my wound. Why? Because the love of preservation, rage, and the motion given to my blood, render me insensible to the stroke that at another time would have fixed all my attention.

There are moments on the contrary, when we are sensible of the slightest impressions; that is, when the passions of fear, ambition, avarice, envy, &c. concentrate all our attention on an object. Am I concerned in a conspiracy? There is not a gesture, not a look that can escape the restless and suspicious eyes of my accomplices. Am I a painter? Every remarkable effect of the light strikes me. Am I a jeweller? There is not a flaw in a diamond that I do not perceive. Am I envious? There is no defect in a great character that my piercing eye does not discern. In like manner those passions that by fixing all my attention on certain objects, render me susceptible of the keenest sensations, with regard to them, make me at the same time insensible to every other sort of sensation. . . .

For the rest, the consciousness or unconsciousness of such impressions,

change not their nature; it is therefore true, as I have already said, that all our sensations carry with them a judgment, whose existence, though unnoticed when they fix not our attention, is however not the less real.

It results from the contents of this chapter, that all judgments formed by comparing objects with each other, suppose an interest in us to compare them. Now that interest, necessarily founded on our love of happiness, cannot be anything else than the effect of bodily sensibility; because there all our pleasures, and all our pains have their source. This question being discussed, I conclude that corporeal pains and pleasures are the unknown principles of all human actions.

CHAPTER VII: CORPOREAL SENSIBILITY IS THE SOLE CAUSE OF OUR ACTIONS, OUR THOUGHTS, OUR PASSIONS, AND OUR SOCIABILITY

Action

It is to clothe himself and adorn his mistress, or his wife, to procure them amusements, to support himself and his family, in a word to enjoy the pleasures attached to the gratification of bodily desires that the artisan and the peasant thinks, contrives, and labors. Corporeal sensibility is therefore the sole mover of man,³ he is consequently susceptible, as I am going to prove, but of two sorts of pleasures and pains, the one are present bodily pains and pleasures, the other are the pains and pleasures of foresight or memory.

³ What is called intellectual pain, or pleasure, may be always referred to some bodily pain or pleasure. . . .

Born without ideas, without vice, and without virtue, everything in man, even his humanity, is an acquisition: it is to his education he owes this sentiment. Among all the various ways of inspiring him with it, the most efficacious is to accustom him from childhood, in a manner from the cradle to ask himself when he beholds a miserable object, by what chance he is not exposed in like manner to the inclemency of the seasons, to hunger, cold, poverty, &c. When the child has been used to put himself in the place of the wretched, that habit gained, he becomes the more touched with their misery, as in deploring their fate it is for human nature in general, and for himself in particular, that he is concerned. An infinity of different sentiments then mix with the first sentiment, and their assemblage composes the total sentiment of pleasure felt by a noble soul in succoring the distressed: a sentiment that he is not always in a situation to analyze.

We relieve the unfortunate,

1. To avoid the bodily pain of seeing them suffer.
2. To enjoy an example of gratitude, which produces in us at least a confused hope of distant utility.
3. To exhibit an act of power, whose exercise is always agreeable to us, because it always recalls to the mind the images of pleasures attached to that power.

4. Because the idea of happiness is constantly connected, in a good education, with the idea of beneficence, and this beneficence in us conciliating the esteem and affection of men, may like riches be regarded as a power, or means of avoiding pains and procuring pleasures.

In this manner, as from an affinity of different sentiments, is made up the total sentiment of the pleasure we feel in the exercise of beneficence.

I have here said enough, to furnish a man of discernment with the means of decomposing, in like manner, every other kind of pleasure, called intellectual, and reducing it to mere sensation.

Pain

I know but two sorts of pain, that which we feel, and that which we foresee. I die of hunger; I feel a present pain. I foresee that I shall soon die of hunger. I feel a pain by foresight, the strength of whose impression is in proportion to the proximity and severity of the pain. The criminal who is going to the scaffold, feels yet no torment, but the foresight that constitutes his present punishment, is begun.

Remorse

Remorse is nothing more than a foresight of bodily pain, to which some crime has exposed us: and is consequently the effect of bodily sensibility. We tremble at the description of the flames, the wheels, the fiery scourges, which the heated imagination of the painter or the poet represents. Is a man without fear, and above the law? he feels no remorse from the commission of a wicked action; provided, however, that he have not previously contracted a virtuous habit; for then he will not pursue a contrary conduct, without feeling an uneasiness, a secret inquietude, to which is also given the name of remorse. Experience tells us, that every action which does not expose us to legal punishment, or to dishonor, is an action, performed in general without remorse. Solon and Plato loved women and even boys, and avowed it. Theft was not punished in Sparta: and the Lacedæmonians robbed without remorse. The princes of the East can, with impunity, load their subjects with taxes, and they do it effectually. The inquisitor can with impunity burn any person who does not think as he does, on certain metaphysical points, and it is without remorse that he gluts his vengeance by hideous torments, for the slight offence that is given to his vanity by the contradiction of a Jew or an Infidel. Remorse, therefore, owes its existence to the fear of punishment or of shame, which is always reducible, as I have already said to a bodily sensation.

Friendship

From bodily sensibility flow in like manner, the tears that bathe the urn of my friend. I lament the loss of the man whose conversation relieved me from inquietude, from that disagreeable sensation of the soul, which actually produces bodily pain: I deplore him who exposed his life and fortune to save me from sorrow and destruction; who was incessantly employed in promoting my felicity, and increasing it by every sort of pleasure. When a man enters into himself, when he examines the bottom of his soul, he perceives nothing in all these sentiments but the development of bodily pain and pleasure. What

cannot this pain produce? It is by this medium that the magistrate enchains vice, and disarms the assassin.

Pleasure

There are two sorts of pleasures, as there are two sorts of pains: the one is the present bodily pleasure, the other is that of foresight. Does a man love fine slaves and beautiful paintings? If he discovers a treasure he is transported. He does not, however, yet feel any bodily pleasure, you will say. It is true; but he gains at that moment, the means of procuring the objects of his desires. Now this foresight of an approaching pleasure, is in fact an actual pleasure: for without the love of fine slaves and paintings, he would have been entirely unconcerned at the discovery of the treasure.

The pleasures of foresight, therefore, constantly suppose the existence of the pleasures of the senses. It is the hopes of enjoying my mistress to-morrow that makes me happy to-day. Foresight or memory converts into an actual enjoyment the acquisition of every means proper to procure pleasure. From what motive in fact, do I feel an agreeable sensation every time I obtain a new degree of esteem, of importance, riches, and above all, of power? It is because I esteem power as the most sure means of increasing my happiness.

Power

Men love themselves: they all desire to be happy, and think their happiness would be complete, if they were invested with a degree of power sufficient to procure them every sort of pleasure. The love of power therefore takes its source from the love of pleasure.

Suppose a man absolutely insensible. But, it will be said, he must then be without ideas, and consequently a mere statue. Be it so: but allow that he may exist, and even think. Of what consequence would the sceptre of a monarch be to him? None. In fact, what could the most immense power add to the felicity of a man without feeling.

If power be so coveted by the ambitious, it is as the mean of acquiring pleasure. Power is like gold, a money. The effect of power, and of a bill of exchange is the same. If I be in possession of such a bill, I receive at London or Paris a hundred thousand crowns, and consequently all the pleasures that sum can procure. Am I in possession of a letter of authority or command? I draw in like manner from my fellow-citizens, a like quantity of provisions or pleasures. The effects of riches and power are in a manner the same: for riches are power.

In a country where money is unknown, in what manner can taxes be paid?

In kind, that is, in corn, wine, cattle, fowls, &c.—How can commerce be carried on? By exchange. Money therefore is to be regarded as a portable merchandise, which it is agreed, for the facility of commerce, to take in exchange for all other sorts of merchandise. Can it be the same with the dignities and honors with which polished nations recompense the services rendered their country? Why not? What are honors? A money that is in like manner the representative of every kind of provision and pleasure. Suppose a country where the honorary money is not current; suppose the people to be too free, and too haughty, to suffer a very great inequality in the ranks and authority of the people: in what manner must the nation recompense great actions, and such as are useful to the nation? By natural riches and pleasures, that is, by transferring a certain quantity of corn, beer, hay, wine, &c. to the granary and cellar of the hero: by giving him so many acres of land to till, or so many handsome slaves. It was by the possession of Briseis, that the Greeks recompensed the valor of Achilles. What among the Scandinavians, the Saxons, the Scythians, the Celts, the Samnites, and the Arabs, was the recompense of courage, of talents and virtues? Sometimes a fine woman, and sometimes a banquet, where feasting on delicate viands, and quaffing delicious liquors, the warriors with transport listened to the songs of the bards.

It is therefore evident, that if money and honors be, among most polished nations, the rewards of virtuous actions, they are in that case the representative of the same possessions, and the same pleasures that poor and free nations grant to their heroes, and for the acquisition of which those heroes expose themselves to the greatest dangers. Therefore on the supposition, that these dignities and honors were not the representatives of wealth or pleasures, that they were nothing more than empty titles,⁴ those titles being estimated according to their real value, would presently cease to be the objects of desire. To enter a breach, a crown piece, the representative of a pint of brandy, and the enjoyment of a trull must be given to the soldier. The warriors of antiquity, and those of the present day are the same. Men have not changed

⁴ If in despotic nations the spring of glory be commonly very weak, it is, because glory there confers no sort of power, because all power is absorbed in despotism; because in these countries a hero, covered with glory, is not secure from the intrigues of a villainous courtier; because he has no certain property in his effects, or his liberty; because, in short, he is liable, at the pleasure of his sovereign, to be thrown into a prison, to be deprived of his wealth and honors, and even of life itself.

Why does the Englishman behold, in the greatest part of foreign noblemen, nothing more than gaudy valets and victims adorned with garlands? Because a peasant in England, is in fact greater than an officer of state in another country: the peasant is free; he can be virtuous with impunity; and sees nothing above him but the law.

It is the desire of glory that must be the most powerful principle of action in poor republics; and it is the love of money, founded on the love of luxury, that in despotic countries is the principle of action, and the moving power in nations subject to that sort of government.

their nature, and they will always perform nearly the same actions for the same rewards. If a man be supposed indifferent to pleasure and pain, he will be without action: unsusceptible of remorse, or friendship, or, in short, of the love of riches or of power: for when we are insensible to pleasure itself, we must be insensible to the means of acquiring it. What we seek in riches and power, is the means of avoiding bodily pains, and procuring bodily pleasures. If the acquisition of gold and power be always a pleasure, it is because foresight and memory convert into an actual pleasure all the means of obtaining it.

The general conclusion of this chapter, is, that in man all is sensation: a truth of which I shall give a fresh proof, by showing that his sociability is nothing more than a consequence of the same sensations.

CHAPTER VIII: OF SOCIABILITY

Man is by nature a devourer of fruits and of flesh; but he is weak, unarmed, and consequently exposed to the voracity of animals stronger than himself. Man, therefore, to avoid the fury of the tiger and the lion, was forced to unite with man. The object of this union was to attack and kill other animals, either to feed on them, or to prevent their consuming the fruits and herbs that served him for nourishment. In the meantime mankind multiplied, and to support themselves, they were obliged to cultivate the earth; but to induce them to this, it became necessary to stipulate, that the harvest should belong to the husbandman. For this purpose the inhabitants made agreements or laws among themselves. These laws strengthened the bonds of a union, that, founded on their wants, was the immediate effect of corporeal sensibility.⁵ But cannot this sociability be regarded as an innate quality,⁶ a species of amiable morality? All that we learn from experience on this head, is, that in man, as in other animals, sociability is the effect of want. If the desire of defending themselves makes the grazing animals as horses, bulls, &c. assemble in herds; that of chasing, attacking, and conquering their prey, forms in like manner a society of carnivorous animals, such as foxes and wolves.

Interest and want are the principles of all sociability. It is, therefore, these principles alone (of which few writers have given clear ideas) that unite men among themselves: and the force of their union is always in proportion to that of habit and want. From the moment the young savage, or the young bear, is able to provide for his nourishment and his defense, the one quits the hut, and the other the den of his parents. The eagle, in like manner, drives away her

⁵ Because man is sociable, people have concluded that he is good. But they have deceived themselves. Wolves form societies, but they are not good. . . .

⁶ That curiosity, which certain writers regard as an innate principle, is the desire in us of being happy, and of improving our condition: it is no other than the development of corporeal sensibility.

young ones from the nest, the moment they have sufficient strength to dart upon their prey, and live without her aid.

The bond that attaches children to their parents, and parents to their children, is less strong than is commonly imagined. A too great strength in this bond would be even fatal to societies. The first regard of a citizen should be for the laws, and the public prosperity; I speak it with regret, filial affection should be in man subordinate to the love of patriotism. If this last affection do not take place of all others, where shall we find a measure of virtue and vice? It would then be no more, and all morality would be abolished.

For what reason, in fact, has justice and the love of God been recommended to men, above all things? On account of the danger to which a too great love of their parents would expose them. If the excess of this passion were sanctioned; if it were declared the principal attachment, a son would then have a right to rob his neighbor, or plunder the public treasury, to supply the wants, and promote the comforts of his father. Every family would form a little nation, and these nations having opposite interests, would be continually at war with each other.

Every writer, who to give us a good opinion of his own heart, founds the sociability of man on any other principle, than that of bodily and habitual wants, deceives weak minds, and gives them a false idea of morality.

Nature, no doubt, designed that gratitude and habit should form in man a sort of gravitation, by which they should be impelled to a love of their parents: but it has also designed that man should have, in the natural desire of independence, a repulsive power, which should diminish the too great force of that gravitation. Thus the daughter joyfully leaves the house of her mother to go to that of her husband; and the son quits with pleasure his native spot, for an employment in India, an office in a distant country, or merely for the pleasure of travelling.

Notwithstanding the pretended force of sentiment, friendship, and habit, mankind change at Paris, every day, the part of the town, their acquaintance and their friends. Do men seek to make dupes? They exaggerate the force of sentiment and friendship, they represent sociability as *an innate affection or principle*. Can they, in reality, forget that there is but one principle of this kind, which is corporeal sensibility? It is to this principle alone, that we owe our self-love, and the powerful love of independence: if men were, as it is said, drawn toward each other by a strong and mutual attraction, would the heavenly Legislator have commanded them to love each other, and to honor their parents? Would he not have left this point to nature, which, without the aid of any law, obliges men to eat and drink when they are hungry and thirsty, to open their eyes to the light, and keep their hands out of the fire.

Travellers do not inform us that the love which mankind bear to their fellows, is so common as pretended. The sailor, escaped from a wreck, and cast on an unknown coast, does not run with open arms to embrace the first man he meets. On the contrary, he hides himself in a thicket, where he observes the manners of the inhabitants, and then presents himself trembling before them.

But if an European vessel chance to approach an unknown island, do not the savages, it is said, run in crowds towards the ship? They are, without doubt, amazed at the sight, they are struck with the novelty of our dress, our arms and implements. The appearance excites their curiosity. But what desire succeeds to this first sensation? That of possessing the objects of their admiration. They become less gay and more thoughtful; are busied in contriving means to obtain, by force or fraud, the objects of their desires: for that purpose they watch the favorable opportunity to rob, plunder, and massacre the Europeans, who, in their conquests of Mexico and Peru, gave them early examples of similar injustice and cruelty.

The conclusion of this chapter is, that the principles of morality and politics, like those of all other sciences, ought to be established on a great number of facts and observations. Now, what is the result of the observations hitherto made on morality? That the love of men for their brethren is the effect of the necessity of mutual assistance, and of an affinity of wants, dependent on that corporeal sensibility, which I regard as the principle of our actions, our virtues, and our vices. . . .

CHAPTER XXIII: THERE IS NO TRUTH NOT REDUCIBLE TO A FACT

Almost all philosophers agree, that the most sublime truths once simplified and reduced to their plainest terms, may be converted into facts, and in that case present nothing more to the mind than this proposition, *white is white, and black is black*. The apparent obscurity of certain truths lies not therefore in the truths themselves, but in the confused manner of representing them, and the impropriety of the words used in expressing them. Can they be reduced to simple facts? If every fact can be equally well perceived by every man organized in the common manner, there is no truth which he cannot comprehend. Now if all men can conceive the same truths, they must all have essentially the same aptitude to understanding.

But is it quite certain that every truth may be reduced to those clear propositions above-mentioned? I shall add only one proof to what the philosophers have already given: I deduce it from the perfectibility of the human mind or understanding; experience demonstrates that the understanding is capable of it. Now what does this perfectibility suppose? Two things:

The one, that every truth is essentially comprehensible by every mind.

The other, that every truth may be clearly represented.

The capacity that all men have to learn a trade proves this. If the most sublime discoveries of the ancient mathematicians are at this day comprised in the elements of geometry, and are understood by every student in that science, it is because those discoveries are reduced to facts.

Truths being once brought to this point of simplicity, if there be some among them that men of ordinary capacity cannot comprehend, it is then, they may say, that borne up by experience, like the eagle, who alone among the feathered race can soar above the clouds and gaze upon the sun, the man of genius alone can raise himself to the intellectual regions, and there sustain the resplendence of a new truth. Now nothing is more contrary to experience. Does a man of genius discover a truth, and represent it clearly? At the instant all men of ordinary capacity seize it, and make it their own. The genius is an adventurous chief, who penetrates the region of discoveries: he lays open the road, and men of common capacity rush in crowds after him. They have therefore the force necessary to follow him, otherwise genius would there penetrate alone. Now to the present day its only privilege is to make the first track.

But if there be a period when the highest truths are attainable by common minds, when is that period? When freed from the obscurity of words, and reduced to propositions more or less simple, they pass from the empire of genius to that of the sciences. Till then, like those souls who are said to wander in the celestial abodes, waiting till they can animate a body, and appear before the light, the truths yet unknown wander in the regions of discoveries, waiting for some genius to seize, and transport them to this terrestrial sphere. Once descended to the earth, and perceived by superior minds, they become common property.

. . . When the discoveries of genius are metamorphosed into sciences, each discovery deposited in their temple becomes a public property; the temple is open to all. Whoever desires to learn, learns, and is sure to make nearly so many feet of science per day. The time fixed for apprenticeship is a proof of this. If the greatest part of arts, at the degree of perfection to which they are now carried, may be regarded as the produce of the discoveries of a hundred men of genius placed end to end; to exercise those arts it is necessary therefore that the workman unite them in himself, and know how properly to apply the ideas of those hundred men of genius: what can be a stronger proof of the perfectibility of the human mind, and of its aptitude to comprehend every sort of truth?

If from the arts I pass to the sciences, it will be equally apparent that the

truths, whose discoveries formerly deified their inventor, are now quite common. The system of Newton is taught everywhere.

It is with the author of a new truth as with an astronomer, whom curiosity or the desire of glory calls up to his observatory. He points his glass to the heavens, and in the immensity of space beholds a new star or satellite. He calls his friends; they go up and looking through the telescope, behold the same star: for with organs nearly the same, men must discover the same objects.

If there were ideas that ordinary men could not attain, there would be truths discovered in the process of ages, that could not be comprehended but by two or three men equally organized. The rest of the human race would be subject in this respect to an invincible ignorance. The discovery of the square of the hypotenuse being equal to the square of the other two sides of a triangle, could not be known but to another Pythagoras: the human mind could not be susceptible of perfectibility; in a word, there would be truths reserved for certain men only. Experience, on the contrary, shows us, that the most sublime discoveries, clearly represented, are conceivable by all. Hence arise that astonishment and shame we perceive when we say, *there is nothing more plain than that truth; how was it possible I did not perceive it before?* This is doubtless sometimes the language of envy, as in the case of Christopher Columbus. When he departed for America, the courtiers said, *nothing is more ridiculous than such an enterprise*: and at his return, *nothing was more easy than such a discovery*. Though this be frequently the language of envy, is it never that of the heart? Is it not with the utmost sincerity, when suddenly struck by the evidence of a new idea, and presently accustomed to regard it as trivial, that we think we always knew it?

If we have a clear idea of the expression of a truth, and not only have it in our memory, but have also habitually present to our remembrance all the ideas of the comparison from which it results, and if we be not blinded by any interest or superstition, that truth being presently reduced to the plainest terms, that is, to this simple proposition, that *white is white, and black is black*, is conceived almost as soon as proposed.

In fact, if the systems of Locke and Newton, without being yet carried to the last degree of perspicuity, are nevertheless generally taught and understood, men of a common organization can therefore comprehend the ideas of those of the greatest genius. Now to conceive their ideas is to have the same aptitude to understanding. But if men can attain those truths, and if their knowledge in general be constantly in proportion to the desire they have to learn, does it follow that all can equally attain to truths hitherto unknown? This objection deserves to be considered.

CHAPTER XXIV: THE UNDERSTANDING NECESSARY TO COMPREHEND THE TRUTHS ALREADY KNOWN, IS SUFFICIENT TO DISCOVER THOSE THAT ARE UNKNOWN

A truth is always the result of just comparisons of the resemblances or differences, the agreements or disagreements, between different objects. When a master would explain to his scholars the principles of a science, and demonstrate the truths already known, he places before their eyes the objects of the comparison from which those truths are to be deduced.

But when a new truth is to be sought, the inventor must in like manner have before his eyes the objects of comparison from which the truth is to be deduced: But what shall present them to him? Chance; the common mother of all inventions. It appears therefore, that the mind of man, whether it follow the demonstration of a truth, or whether it discover it, has in both cases, the same objects to compare, and the same relations to observe; in short, the same operations to perform. The understanding necessary to comprehend truths already known, is therefore sufficient to discover those that are unknown. Few men indeed attain the latter; but this is the effect of the different situations in which they are placed, and that series of circumstances to which is given the name of chance; or of the desire, more or less cogent, that men have to distinguish themselves, and consequently their greater or less passion for glory.

The passions can do all things. There is no girl so stupid that love will not make witty. What means does it not furnish her with, to deceive the vigilance of her parents, to see and converse with her lover? The most stupid frequently become the most inventive.

A man without passions is incapable of that degree of attention to which a superior judgment is annexed: a superiority that is, perhaps, less the effect of an extraordinary effort than of habitual attention. . . .

Section V. Of the Errors and Contradictions of Those, Whose Principles Differing from Mine, Refer the Unequal Degrees of Understandings, to the Unequal Degrees of Perfection in the Organs of the Senses

CHAPTER II: OF THE UNDERSTANDING AND OF TALENTS

What is in man the understanding? The assemblage of his ideas. To what sort of understanding do we give the name of talent? To an understanding concentrated in one subject; that is to say, to a large assemblage of ideas of the same kind.

Now, if there be no innate ideas, (as M. Rousseau allows in several parts of

his work,) understanding and talent must be acquisitions in us, and both of them, as I have already said, have therefore for generating principles:

1. Corporeal sensibility; without which we can't receive no sensations.
2. Memory; that is, the faculty of recollecting sensations received.
3. An interest to induce us to compare our sensations with each other; that is, to observe with attention the resemblances and differences, and agreements and disagreements that various objects have with each other.

It is this interest that fixes the attention, and that in men, organized in the common manner, is the productive principle of their understanding.

The talents, regarded by some as the effect of a particular disposition to a particular sort of understanding, are, in reality, nothing more than the produce of the attention applied to ideas of a certain sort. I compare the mass of human knowledge to the keys of an organ. The several talents are the stops, and the attention, put in action by interest, is the hand, that can indifferently apply itself to one or other of the stops.

In short, if we acquire even the sentiment of self-love, and if we cannot love ourselves, without having previously felt the sensation of corporeal pleasure and pain, all then in us is acquisition.

Our understanding, our talents, our vices and virtues, our prejudices and characters, necessarily formed by the assemblage of our ideas and sentiments, are not therefore the effect of our several temperaments. Our passions themselves are not dependent on them. I shall cite the people of the North as a proof of this truth. Their phlegmatic temperament we are told, is the particular effect of their climate and nourishment; yet are they as susceptible of pride, envy, ambition, avarice, and superstition, as the more sanguine⁷ and bilious inhabitants of the South? When we look into history, we see nations change their characters on a sudden, without any change in the nature of their climates, or in their nourishment. . . .

CHAPTER III: OF THE GOODNESS OF MAN IN THE CRADLE

I love you, O my fellow citizens! and my chief desire is to be useful to you. I doubtless desire your approbation; but shall I owe your esteem and applause to a lie? A thousand others will deceive you; I shall not be their accomplice. Some will say you are good, and flatter the desire you have to think yourselves so: believe them not. Others will say you are wicked, and in like manner will say false. You are neither the one nor the other.

No individual is born good or bad. Men are the one or the other, according as a similar or opposite interest unites or divides them. Philosophers suppose

⁷ This fact clearly proves that the passions above-mentioned are not the effects of the diversity of temperaments but, as I have said, of the love of power.

men to be born in a state of war. A common desire to possess the same things arms them from the cradle, say they, against each other.

The state of war, without doubt, closely follows the instant of their birth. The peace between them is of short duration. They are not however both enemies. Goodness or badness is an incident to them; it is the consequence of their good or bad laws. What we call in man his goodness or moral sense, is his benevolence to others; and that benevolence is always proportionate to the utility they are of to him. I prefer my countrymen to strangers, and my friends to my countrymen. The prosperity of my friend is reflected on me. If he becomes more rich and powerful, I participate in his riches and power. Benevolence to others is therefore the effect of love for ourselves. Now if self-love, as I have proved in the fourth section, be the necessary effect of the faculty of sensation our love for others, whatever the Shaftesburians may say, is in like manner the effect of the same faculty.

What in fact is that original goodness or moral sense, so much boasted of by the English? What clear idea can we form of such a sense,⁸ and on what fact do we found its existence? On the goodness of men? But there are also persons who are envious and liars, *omnis homo mendax*.⁹ Will they say in consequence, that those men have in them an immoral sense of envy, and a lying

⁸ If they admit a moral sense, why not an algebraic or chemical sense? Why should we create a sixth sense in man? Is it to give him clearer ideas of morality? But what is morality? *The science of the means invented by men to live together in the most happy manner possible.* This science, if those in power do not oppose its progress, will advance in proportion as the people acquire more knowledge. Men would have morality to be the work of God; but it makes every where a part of the legislation of the people: now legislation is the work of man. If God be esteemed the author of morality, it is because he is the author of human reason, and morality the offspring of that reason. To identify God and morality is idolatry; it is to deify the work of men. They have made compacts; morality is nothing more than the collection of these compacts. The true object of this science is the happiness of the majority. *Salus populi suprema lex esto* [*Let the safety of the people be the supreme law*]. If the morality of mankind produces so often a contrary effect, it is because the powerful direct all its precepts to their particular advantage; it is because they constantly repeat, *Salus gubernantium suprema lex esto* [*Let the safety of the rulers be the supreme law*]. It is in short, because the morality of most nations is now nothing more than a collection of the means employed, and the precepts dictated by the powerful to secure their authority, and to be unjust with impunity.

But can such precepts be respected? Yes, when they are consecrated by edicts, by absurd laws, and above all, by the dread of power. It is then they acquire a legal authority while that power continues.

There is then nothing more difficult than to recall morality to its true object. For which reason we find a wise legislation, and a pure morality in those countries only where, as in England, the people have a part in the administration, where the nation is the sovereign; and where the laws, constantly established in favor of the people in power, are necessarily conformable to the interest of the majority.

According to this summary idea of the science of morality, it is evident, that like others, it is the produce of experience and meditation, and not of a *moral sense*; that it may, like other sciences, be daily improved; and that nothing authorizes man to suppose he has a sixth sense, of which it is impossible to form any clear idea.

⁹ [*Every man is a liar.*]

sense. Nothing is more absurd than this theological philosophy of Shaftesbury; and yet the greatest part of the English are as fond of it as the French were formerly of their music. It is not the same with other nations. No stranger can understand the one or bear the other. It is a web on the eye of the English. It must be taken away before they can see clearly.

According to their philosophy, the man indifferent and seated at his ease, desires the happiness of others: but as being indifferent, he does not, and cannot desire any thing. The states of desire and indifference are contradictory. Perhaps the state of perfect indifference is even impossible. Experience teaches us that man is born neither good nor bad: that his happiness is not necessarily connected with the misery of others: that on the contrary, from a good education, the idea of my own happiness will be always more or less closely connected in my memory with that of my fellow-citizens; and that the desire of the one will produce in me the desire of the other: whence it follows, that the love of his neighbor is in every individual the effect of the love of himself. The most clamorous declaimers for original goodness have not moreover been always the greatest benefactors to humanity.

When the welfare of England was at stake, the idle Shaftesbury, that ardent apostle of the beauty of morality, would not, we are told, even go to the parliament-house to save it. It was not the sense of the beauty of morality, but the love of glory and of their country that formed Horatius Cocles, Brutus, and Scaevola. The English philosophers will in vain tell me that beauty of morality is a sense that is developed with the human foetus, and in a certain time, renders man compassionate to the misfortune of his brethren. I can form an idea of my five senses, and of the organs by which they are produced; but I confess I have no more idea of a moral sense, than of a moral castle and elephant.

How long will men continue to use words that are void of meaning, and that not conveying any clear and determinate idea, ought to be forever banished to the schools of theology. Do they mean by this moral sense that sentiment of compassion felt at the sight of an unhappy object? But to compassionate another man's miseries, we must first know what he suffers, and for that purpose must have felt pain. A compassion on report supposes also a knowledge of misery. Which are the evils moreover that in general we are most sensible of? Those which we suffer with the most impatience, and the remembrance of which is consequently the most habitually present to us. Compassion therefore is not an innate sentiment.

What do I feel at the presence of an unhappy person? A strong emotion. What produces it? The remembrance of pains to which men are subject, and to which I myself am exposed: such an idea troubles me, makes me uneasy,

and as long as the unfortunate person is present I am afflicted. When I have assisted him, and see him no more, a calm takes place insensibly in my mind; for in proportion as he is distant from me, the remembrance of the miseries that his presence recalled, insensibly vanishes: when therefore I was afflicted at his presence, it was for myself I was afflicted. Which in fact are the evils I commiserate most. They are, as I have already said, not only those I have felt, but those I may still feel: those evils being most present to my memory, strike me most forcibly. My affliction for the miseries of an unhappy person, is always in proportion to the fear I have of being afflicted with the same miseries. I would, if it were possible, destroy in him the very root of his misfortune, and thereby free myself at the same time from the fear of suffering in the same manner. The love of others is therefore never anything else in man than an effect of the love of himself, and consequently of his corporeal sensibility. In vain does M. Rousseau repeat incessantly *that all men are good, and all the first movements of nature right*. The necessity of laws proves the contrary. What does this necessity imply? That the different interests of men render them good or bad; and that the only method to form virtuous citizens, is to unite the interest of the individual with that of the public. . . .

A proof that humanity is nothing more in man than the effect of the misfortunes he has known either by himself or by others is, that of all the ways to render him humane and compassionate, the most efficacious is to habituate him from his most tender age to put himself in the place of the miserable. Some have in consequence treated compassion as a weakness: let him call it so if they please; this weakness will always be in my eyes the first of virtues, because it always contributes the most to the happiness of humanity.

I have proved that compassion is not either a moral sense, or an innate sentiment, but the pure effect of self-love. What follows? That it is this same love, differently modified, according to the different education we receive, and the circumstances, and situations in which chance has placed us, which renders us humane or obdurate: that man is not born compassionate, but that all may and will become so when the laws, the form of government, and their education lead them to it.

O! you, to whom heaven has entrusted the legislative power, let your administration be gentle, your laws sagacious, and you will have subjects humane, valiant, and virtuous! But if you alter either those laws, or, that wise administration, those virtuous citizens will expire without posterity, and you will be surrounded by wicked men only; for the laws will make them such. Man, by nature indifferent to evil, will not give himself up to it without a motive: the happy man is humane; he is the couching lion.

Unhappy is the prince who confides in the original goodness of characters;

M. Rousseau supposes its existence; experience denies it: whoever consults that, will learn that the child kills flies, beats his dog, and strangles his sparrow; that the child, born without any humanity, has all the vices of the man.

The man in power is often unjust; the sturdy child is the same: when he is not restrained by the presence of his master, he appropriates by force, like the man in power, the sweetmeat or plaything of his companion. He does that for a coral or a doll which he would do at a mature age for a title or a scepter. The uniformity in the manner of acting at those two ages made M. de la Mothe say, *It is because the child is already a man, that the man is still a child.*

The original goodness of characters cannot be maintained by any argument. I will even add, that in man, goodness and humanity cannot be the work of nature, but of education only.

CHAPTER IV: THE MAN OF NATURE CANNOT BUT BE CRUEL

What does the prospect of nature present to us? A multitude of beings destined to devour each other. Man in particular, say the anatomists, has the tooth of a carnivorous animal; he ought therefore to be voracious, and consequently cruel and bloody. Flesh, moreover, is his most wholesome nourishment, and the most conformable to his organization: his preservation, like that of almost all the species of animals, is connected with the destruction of others.

Men dispersed among the vast forests are at first hunters; when they become more numerous, and are forced to find their nourishment within a smaller space, necessity makes them shepherds; when still more multiplied, they become at last husbandmen. Now in all these several situations, man is born a destroyer of animals, either by eating their flesh, or by defending against them the fruits, grain, or pulse, necessary to his subsistence.

The man of nature is his own butcher, and his own cook; his hands are always imbrued in blood; habituated to murder, he must be deaf to the cry of pity. If the stag at bay affects me; if his tears excite mine, this object so affecting by its novelty, is agreeable to the savage whom habit has rendered obdurate.

The most pleasing melody to an inquisitor are the groans of torture: he laughs by the side of the fire in which the heretic is burning. This inquisitor, an authorized assassin of the law, preserves, even in the bosom of cities, the ferocity of the man of nature; he is a man of blood. The nearer we return to that state, the more we accustom ourselves to murder, the less it costs. Why is the lowest of the butchering tribe, in default of an executioner, obliged to perform his functions? Because his profession renders him void of compassion.

He whom a good education has not accustomed to see, in the misfortunes of others, to what he is himself exposed, will be always obdurate, and often sanguinary. The common people are so; they have not the understanding to be humane. It is curiosity, they say, that carries them to Tyburn or the Greve: yes, the first time; if they go again, it is cruelty. They are moved and weep at executions; and so does the man of education at a tragedy, but yet the representation is agreeable to him.

He that maintains the original goodness of men, designs to deceive them. Must there be in morals, as well as in religion, so many hypocrites, and so few that are sincere? Can the regard with which a reciprocal fear inspires two persons, nearly equal in force, be taken for a natural goodness in human nature, when even the polished man, not restrained by that fear, becomes cruel and sanguinary? . . .

Let me not be accused of denying the existence of good men: I know there are such, who tenderly sympathize in the miseries of their fellow-creatures: but the humanity of these is the effect of their education, not their nature. . . .

VOLTAIRE

IN THE EIGHTEENTH CENTURY the classical persuasion of the oneness of humanity, inherited from the Stoics, was reinforced by the apprehension, taken over from the scientific approach, that nature was uniform in all its parts and subject to a single system of laws. The instrument of the new science thus gave an intellectual foundation and a revolutionary import to the classic humanist maxim, "Nothing human is alien to me." The great metaphysical systems of the seventeenth century were set aside by the Enlightenment in favor of making science an instrument in a reformist and humanitarian program, resting upon cosmopolitan convictions, and committed to the spread of toleration and peace. In the same way that the intellectual achievements of the eighteenth century centered around the names of Locke and Newton, this preoccupation with humanity and this moral bent of the Enlightenment centered around the name of Voltaire (1694-1778). "To Voltaire reason and humanity were but a single word."¹

The "Patriarch of Ferney" approached being a cult during the Age of Reason. Important as he is for what he actually did and said, he is historically memorable as much for the legend that grew up about his personality and made of him the symbol of the struggle for freedom of thought. Voltaire was the patron-saint of a secular age. As François Marie Arouet, he was born into a middle-class family. The mundane concerns of a notary like his father were not at all in key, however, with Arouet's temperament, and he refused to be conscientious about the study of law in the way that his parent wished. Instead, he made his way into the circles of high French society, where his charm and talents as well as his biting wit might find more suitable outlet. By the age of twenty-two he had so established his reputation that he was imprisoned in the Bastille as the author of some pungent verse directed against the Regency of the Duke of Orleans. Innocent of this particular deed he was nevertheless guilty of the inclinations which it represented, and some years later when this poet of middle-class origins made a slighting remark to a personage beyond his station, he was beaten, then imprisoned, and finally forced into exile.

Already one of the recognized poets of France, it was under these circumstances that Voltaire (a name adopted by the poet in 1722) made his important visit to England, where he remained for three years. As John Morley has said, Voltaire went to England a poet and returned to France a philosopher. He brought back from that experience, in addition to the philosophies of Newton and Locke, a strengthened conviction of the importance of intellectual freedom, which he saw realized in England. England made him the propagandist for reason. His *Letters on the English* (*Lettres philosophiques*; its authorship, on publication in France in 1734, was an open secret), while on the surface simply an exposition of British men and manners, had a reference to French society that was neither pleasing to those in authority nor hard for them to see.

For the three years after 1749 Voltaire was in attendance at the court of Frederick the Great, to whom he looked for the practice of enlightened despotism. In

¹ John Morley, *Voltaire* (London, Macmillan, 1923), p. 16.

1752, after unpleasant experiences at Berlin, he went to Switzerland, finally settling on an estate at Ferney. Voltaire was one of the few men of letters of his time who was independently wealthy, and he was enabled to send forth from Ferney the stream of plays, poems, satires, and articles which made him the recognized spiritual leader of the Enlightenment. It was not, indeed, until after he had been at Ferney for some years and had reached the age of sixty-five that he could hope to be secure enough from the authorities to be able to pen the open attacks against religious superstition and political tyranny for which he is best remembered. In 1778, when he finally returned to Paris he was received with wild acclaim. The motto, "Ecrasez l'infame!" (Crush the Infamous!), with which he had summed up his message of revolt against the worst in church and state (especially the former) had seeped down to the "rabble" he had never completely trusted. After the Revolution his remains were brought to Paris to rest in the Pantheon. His tomb was violated and his body removed during the hysteria of the first Restoration.

Voltaire was never concerned to erect a philosophical system or to propound a particular program. He was convinced that the laws of nature were written on the heart of every man, and needed simply to be followed in their inexorable harmony in order to do away with the confusion and caprice with which contemporary societies were governed. At the same time, however, Voltaire was not at all convinced that the natural law could or should be followed by all men. Theology and revealed religion were unnecessary for philosophers, but (like so many of the *philosophes*) he sometimes believed they might be necessary for most people. Philosophy for the classes, religion for the masses, might be said to have been his political formula, and good government seemed to him to depend on the offices of the kind of enlightened despot he hoped Frederick the Great could be.

Voltaire's historical works are probably his most solid intellectual contributions. His *Age of Louis XIV* and his *Essay on the Manners and Spirit of Nations* were pioneer works in modern historiography, emphasizing the cultural context of history rather than its great men or wars. Two ideas mainly govern Voltaire's work in the field of history. He was convinced that "the intellect of Europe has made greater progress in the last hundred years than the whole world had made since the days of Brahma, Fohi, Zoroaster and Thart of the Egyptians." Consequently past history seemed to him a singularly unbroken story of crime and folly. At the same time, however, Voltaire was impressed by the continuity in the enterprise of the intellectual classes, and sensed the implications for human progress inherent there. His histories are mainly devoted to showing the progress of human thought, and the benefactions visited upon the human race by thinkers and men of letters. Voltaire is thus the ancestor of the contemporary "new historians" concerned to tell the story of "mind in the making."

It is probably for his struggle on behalf of civil liberty and toleration, however, that Voltaire is best remembered today. His plea for toleration did not arise out of a general philosophic skepticism such as that of his predecessor, Pierre Bayle (1647-1706). Essentially, Voltaire's skepticism was only that of the convinced moralist and reformer, and he wanted toleration principally because he felt intellectual freedom was the best way to get men to agree on fundamentals. He was against the Church, and, as he grew older, he became more and more uncompromising, because the Church prevented agreement between men on moral issues in the very effort to

foster such unity. To attempt to create unity on the basis of a special revelation seemed to Voltaire to be only a way of promoting skepticism and indifference, or factional strife and immoral persecutions. The only basis for common agreement was the universal natural law available to all enlightened men. Toleration, for Voltaire, was the condition as well as the sign of agreement on basic moral principles, and it was a salutary thing specifically within the limits of that agreement. Thus, Voltaire would not have extended toleration to the holding of public office by persons who were not members of the state religion, for he felt that there would be no way of enforcing their obedience to the moral law. Voltaire did not urge toleration because of an indifference to or skepticism about the attainment of absolute truth, but because he was convinced that toleration was necessary for the successful pursuit of reason. His practical struggle for freedom of speech and for the independence of science constitutes the most signal contribution in modern times by a single person to the attainment of these objectives.

The first two selections that follow are from Voltaire's *Philosophical Dictionary* (translated from the French by H. I. Woolf, New York, Alfred A. Knopf, 1924); the first edition (1764) of the *Dictionary* and a subsequent expanded version were both consigned to the flames by the French authorities. The *Essay on Toleration* (translated from the French by Joseph McCabe, New York, G. P. Putnam's Sons, 1912) grew out of Voltaire's defense of a persecuted Protestant, Jean Calas, and appeared in 1763.



NATURAL LAW

B: What is natural law?

A: The instinct which makes us feel justice.

B: What do you call just and unjust?

A: What appears such to the entire universe.

B: The universe is composed of many heads. It is said that in Lacedæmon were applauded thefts for which people in Athens were condemned to the mines.

A: Abuse of words, logomachy, equivocation; theft could not be committed at Sparta, when everything was common property. What you call "theft" was the punishment for avarice.

B: It was forbidden to marry one's sister in Rome. It was allowed among the Egyptians, the Athenians and even among the Jews, to marry one's sister on the father's side. It is but with regret that I cite that wretched little Jewish people, who should assuredly not serve as a rule for anyone, and who (putting religion aside) was never anything but a race of ignorant and fanatic brigands. But still, according to their books, the young Tamar, before being ravished by her brother Amnon, says to him:—"Nay, my brother, do not thou this folly, but speak unto the king; for he will not withhold me from thee."

A: Conventional law and all that, arbitrary customs, fashions that pass: the essential remains always. Show me a country where it was honourable to rob me of the fruit of my toil, to break one's promise, to lie in order to hurt, to calumniate, to assassinate, to poison, to be ungrateful towards a benefactor, to beat one's father and one's mother when they offer you food.

B: Have you forgotten that Jean-Jacques, one of the fathers of the modern Church, has said that "the first man who dared enclose and cultivate a piece of land" was the enemy "of the human race," that he should have been exterminated, and that "the fruits of the earth are for all, and that the land belongs to none"? ¹ Have we not already examined together this lovely proposition which is so useful to society?

A: Who is this Jean-Jacques? he is certainly not either John the Baptist, nor John the Evangelist, nor James the Greater, nor James the Less; it must be some Hunnish wit who wrote that abominable impertinence or some poor joker *bufo magro* who wanted to laugh at what the entire world regards as most serious. For instead of going to spoil the land of a wise and industrious neighbour, he had only to imitate him; and every father of a family having followed this example, behold soon a very pretty village formed. The author of this passage seems to me a very unsociable animal.

B: You think then that by outraging and robbing the good man who has surrounded his garden and chicken-run with a live hedge, he has been wanting in respect towards the duties of natural law?

A: Yes, yes, once again, there is a natural law, and it does not consist either in doing harm to others, or in rejoicing thereat.

B: I imagine that man likes and does harm only for his own advantage. But so many people are led to look for their own interest in the misfortune of others, vengeance is so violent a passion, there are such disastrous examples of it; ambition, still more fatal, has inundated the world with so much blood, that when I retrace for myself the horrible picture, I am tempted to avow that man is a very devil. In vain have I in my heart the notion of justice and injustice; an Attila courted by St. Leo, a Phocas flattered by St. Gregory with the most cowardly baseness, an Alexander VI. sullied with so many incests, so many murders, so many poisonings, with whom the weak Louis XII., who is called "the good," makes the most infamous and intimate alliance; a Cromwell whose protection Cardinal Mazarin seeks, and for whom he drives out of France the heirs of Charles I., Louis XIV.'s first cousins, etc., etc.; a hundred like examples set my ideas in disorder, and I know no longer where I am.

A: Well, do storms stop our enjoyment of to-day's beautiful sun? Did the

¹ [Rousseau, *Discourse on the Origin of Inequality*, 2.]

earthquake which destroyed half the city of Lisbon stop your making the voyage to Madrid very comfortably? If Attila was a brigand and Cardinal Mazarin a rogue, are there not princes and ministers who are honest people? Has it not been remarked that in the war of 1701, Louis XIV.'s council was composed of the most virtuous men? The Duc de Beauvilliers, the Marquis de Torci, the Maréchal de Villars, Chamillart lastly who passed for being incapable, but never for dishonest. Does not the idea of justice subsist always? It is upon that idea that all laws are founded. The Greeks called them "daughters of heaven," which only means daughters of nature. Have you no laws in your country?

B: Yes, some good, some bad.

A: Where, if it was not in the notions of natural law, did you get the idea that every man has within himself when his mind is properly made? You must have obtained it there, or nowhere.

B: You are right, there is a natural law; but it is still more natural to many people to forget it.

A: It is natural also to be one-eyed, hump-backed, lame, deformed, unhealthy; but one prefers people who are well made and healthy.

B: Why are there so many one-eyed and deformed minds?

A: Peace! But go to the article on "Power."

RELIGION

I MEDITATED last night; I was absorbed in the contemplation of nature; I admired the immensity, the course, the harmony of these infinite globes which the vulgar do not know how to admire.

I admired still more the intelligence which directs these vast forces. I said to myself: "One must be blind not to be dazzled by this spectacle; one must be stupid not to recognize the author of it; one must be mad not to worship Him. What tribute of worship should I render Him? Should not this tribute be the same in the whole of space, since it is the same supreme power which reigns equally in all space? Should not a thinking being who dwells in a star in the Milky Way offer Him the same homage as the thinking being on this little globe where we are? Light is uniform for the star Sirius and for us; moral philosophy must be uniform. If a sentient, thinking animal in Sirius is born of a tender father and mother who have been occupied with his happiness, he owes them as much love and care as we owe to our parents. If someone in the Milky Way sees a needy cripple, if he can relieve him and if he does not do it, he is

guilty toward all globes. Everywhere the heart has the same duties: on the steps of the throne of God, if He has a throne; and in the depths of the abyss, if there be an abyss."

I was plunged in these ideas when one of those genii who fill the intermundane spaces came down to me. I recognized this same aerial creature who had appeared to me on another occasion to teach me how different God's judgments were from our own, and how a good action is preferable to a controversy.

He transported me into a desert all covered with piled up bones; and between these heaps of dead men there were walks of ever-green trees, and at the end of each walk a tall man of august mien, who regarded these sad remains with pity.

"Alas! my archangel," said I, "where have you brought me?"

"To desolation," he answered.

"And who are these fine patriarchs whom I see sad and motionless at the end of these green walks? They seem to be weeping over this countless crowd of dead."

"You shall know, poor human creature," answered the genius from the intermundane spaces; "but first of all you must weep."

He began with the first pile. "These," he said, "are the twenty-three thousand Jews who danced before a calf, with the twenty-four thousand who were killed while lying with Midianitish women. The number of those massacred for such errors and offences amounts to nearly three hundred thousand.

"In the other walks are the bones of the Christians slaughtered by each other for metaphysical disputes. They are divided into several heaps of four centuries each. One heap would have mounted right to the sky; they had to be divided."

"What!" I cried, "brothers have treated their brothers like this, and I have the misfortune to be of this brotherhood!"

"Here," said the spirit, "are the twelve million Americans killed in their fatherland because they had not been baptized."

"My God! why did you not leave these frightful bones to dry in the hemisphere where their bodies were born, and where they were consigned to so many different deaths? Why assemble here all these abominable monuments to barbarism and fanaticism?"

"To instruct you."

"Since you wish to instruct me," I said to the genius, "tell me if there have been peoples other than the Christians and the Jews in whom zeal and religion wretchedly transformed into fanaticism, have inspired so many horrible cruelties."

"Yes," he said. "The Mohammedans were sullied with the same inhumani-

ties, but rarely; and when one asked *amman*, pity, of them and offered them tribute, they pardoned. As for the other nations there has not been one right from the existence of the world which has ever made a purely religious war. Follow me now." I followed him.

A little beyond these piles of dead men we found other piles; they were composed of sacks of gold and silver, and each had its label: *Substance of the heretics massacred in the eighteenth century, the seventeenth and the sixteenth*. And so on in going back: *Gold and silver of Americans slaughtered*, etc., etc. And all these piles were surmounted with crosses, mitres, croziers, triple crowns studded with precious stones.

"What, my genius! it was then to have these riches that these dead were piled up?"

"Yes, my son."

I wept; and when by my grief I had merited to be led to the end of the green walks, he led me there.

"Contemplate," he said, "the heroes of humanity who were the world's benefactors, and who were all united in banishing from the world, as far as they were able, violence and rapine. Question them."

I ran to the first of the band; he had a crown on his head, and a little censer in his hand; I humbly asked him his name. "I am Numa Pompilius," he said to me. "I succeeded a brigand, and I had brigands to govern: I taught them virtue and the worship of God; after me they forgot both more than once; I forbade that in the temples there should be any image, because the Deity which animates nature cannot be represented. During my reign the Romans had neither wars nor seditions, and my religion did nothing but good. All the neighbouring peoples came to honour me at my funeral: that happened to no one but me."

I kissed his hand, and I went to the second. He was a fine old man about a hundred years old, clad in a white robe. He put his middle-finger on his mouth, and with the other hand he cast some beans behind him. I recognized Pythagoras. He assured me he had never had a golden thigh, and that he had never been a cock; but that he had governed the Crotoniates with as much justice as Numa governed the Romans, almost at the same time; and that this justice was the rarest and most necessary thing in the world. I learned that the Pythagoreans examined their consciences twice a day. The honest people! how far we are from them! But we who have been nothing but assassins for thirteen hundred years, we say that these wise men were arrogant.

In order to please Pythagoras, I did not say a word to him and I passed to Zarathustra, who was occupied in concentrating the celestial fire in the focus of a concave mirror, in the middle of a hall with a hundred doors which all

led to wisdom. (Zarathustra's precepts are called *doors*, and are a hundred in number.) Over the principal door I read these words which are the précis of all moral philosophy, and which cut short all the disputes of the casuists: "When in doubt if an action is good or bad, refrain."

"Certainly," I said to my genius, "the barbarians who immolated all these victims had never read these beautiful words."

We then saw the Zaleucus, the Thales, the Anaximanders, and all the sages who had sought truth and practised virtue.

When we came to Socrates, I recognized him very quickly by his flat nose. "Well," I said to him, "here you are then among the number of the Almighty's confidants! All the inhabitants of Europe, except the Turks and the Tartars of the Crimea, who know nothing, pronounce your name with respect. It is revered, loved, this great name, to the point that people have wanted to know those of your persecutors. Melitus and Anitus are known because of you, just as Ravailac is known because of Henry IV.; but I know only this name of Anitus. I do not know precisely who was the scoundrel who calumniated you, and who succeeded in having you condemned to take hemlock."

"Since my adventure," replied Socrates, "I have never thought about that man; but seeing that you make me remember it, I have much pity for him. He was a wicked priest who secretly conducted a business in hides, a trade reputed shameful among us. He sent his two children to my school. The other disciples taunted them with having a father who was a currier; they were obliged to leave. The irritated father had no rest until he had stirred up all the priests and all the sophists against me. They persuaded the counsel of the five hundred that I was an impious fellow who did not believe that the Moon, Mercury and Mars were gods. Indeed, I used to think, as I think now, that there is only one God, master of all nature. The judges handed me over to the poisoner of the republic; he cut short my life by a few days: I died peacefully at the age of seventy; and since that time I pass a happy life with all these great men whom you see, and of whom I am the least."

After enjoying some time in conversation with Socrates, I went forward with my guide into a grove situated above the thickets where all the sages of antiquity seemed to be tasting sweet repose.

I saw a man of gentle, simple countenance, who seemed to me to be about thirty-five years old. From afar he cast compassionate glances on these piles of whitened bones, across which I had had to pass to reach the sages' abode. I was astonished to find his feet swollen and bleeding, his hands likewise, his side pierced, and his ribs flayed with whip cuts. "Good Heavens!" I said to him, "is it possible for a just man, a sage, to be in this state? I have just seen one who was treated in a very hateful way, but there is no comparison between his

torture and yours. Wicked priests and wicked judges poisoned him; is it by priests and judges that you have been so cruelly assassinated?"

He answered with much courtesy—"Yes."

"And who were these monsters?"

"*They were hypocrites.*"

"Ah! that says everything; I understand by this single word that they must have condemned you to death. Had you then proved to them, as Socrates did, that the Moon was not a goddess, and that Mercury was not a god?"

"No, *these planets were not in question. My compatriots did not know at all what a planet is; they were all arrant ignoramuses. Their superstitions were quite different from those of the Greeks.*"

"You wanted to teach them a new religion, then?"

"Not at all; I said to them simply—'Love God with all your heart and your fellow-creature as yourself, for that is man's whole duty.' Judge if this precept is not as old as the universe; judge if I brought them a new religion. I did not stop telling them that I had come not to destroy the law but to fulfil it; I had observed all their rites; circumcised as they all were, baptized as were the most zealous among them, like them I paid the Corban; I observed the Passover as they did, eating standing up a lamb cooked with lettuces. I and my friends went to pray in the temple; my friends even frequented this temple after my death; in a word, I fulfilled all their laws without a single exception."

"What! these wretches could not even reproach you with swerving from their laws?"

"No, without a doubt."

"Why then did they put you in the condition in which I now see you?"

"What do you expect me to say! they were very arrogant and selfish. They saw that I knew them; they knew that I was making the citizens acquainted with them; they were the stronger; they took away my life: and people like them will always do as much, if they can, to whoever does them too much justice."

"But did you say nothing, do nothing that could serve them as a pretext?"

"To the wicked everything serves as pretext."

"Did you not say once that you were come not to send peace, but a sword?"

"It is a copyist's error; I told them that I sent peace and not a sword. I have never written anything; what I said can have been changed without evil intention."

"You therefore contributed in no way by your speeches, badly reported, badly interpreted, to these frightful piles of bones which I saw on my road in coming to consult you?"

"It is with horror only that I have seen those who have made themselves guilty of these murders."

"And these monuments of power and wealth, of pride and avarice, these treasures, these ornaments, these signs of grandeur, which I have seen piled up on the road while I was seeking wisdom, do they come from you?"

"That is impossible; I and my people lived in poverty and meanness: my grandeur was in virtue only."

I was about to beg him to be so good as to tell me just who he was. My guide warned me to do nothing of the sort. He told me that I was not made to understand these sublime mysteries. Only did I conjure him to tell me in what true religion consisted.

"Have I not already told you? Love God and your fellow-creature as yourself."

"What! if one loves God, one can eat meat on Friday?"

"I always ate what was given me; for I was too poor to give anyone food."

"In loving God, in being just, should one not be rather cautious not to confide all the adventures of one's life to an unknown man?"

"That was always my practice."

"Can I not, by doing good, dispense with making a pilgrimage to St. James of Compostella?"

"I have never been in that country."

"Is it necessary for me to imprison myself in a retreat with fools?"

"As for me, I always made little journeys from town to town."

"Is it necessary for me to take sides either for the Greek Church or the Latin?"

"When I was in the world I never made any difference between the Jew and the Samaritan."

"Well, if that is so, I take you for my only master." Then he made me a sign with his head which filled me with consolation. The vision disappeared, and a clear conscience stayed with me.

ON TOLERATION

WHETHER INTOLERANCE IS OF NATURAL AND HUMAN LAW

NATURAL LAW is that indicated to men by nature. You have reared a child; he owes you respect as a father, gratitude as a benefactor. You have a right to the products of the soil that you have cultivated with your own hands. You have given or received a promise; it must be kept.

Human law must in every case be based on natural law. All over the earth

the great principle of both is: Do not unto others what you would that they do not unto you. Now, in virtue of this principle, one man cannot say to another: "Believe what I believe, and what thou canst not believe, or thou shalt perish." Thus do men speak in Portugal, Spain, and Goa. In some other countries they are now content to say: "Believe, or I detest thee; believe, or I will do thee all the harm I can. Monster, thou sharest not my religion, and therefore hast no religion; thou shalt be a thing of horror to thy neighbours, thy city, and thy province."

If it were a point of human law to behave thus, the Japanese should detest the Chinese, who should abhor the Siamese; the Siamese, in turn, should persecute the Thibetans, who should fall upon the Hindoos. A Mogul should tear out the heart of the first Malabarian he met; the Malabarian should slay the Persian, who might massacre the Turk; and all of them should fling themselves against the Christians, who have so long devoured each other.

The supposed right of intolerance is absurd and barbaric. It is the right of the tiger; nay, it is far worse, for tigers do but tear in order to have food, while we rend each other for paragraphs. . . .

WHETHER IT IS USEFUL TO MAINTAIN THE PEOPLE IN SUPERSTITION

Such is the weakness, such the perversity, of the human race that it is better, no doubt, for it to be subject to all conceivable superstitions, provided they be not murderous, than to live without religion. Man has always needed a curb; and, although it was ridiculous to sacrifice to fauns or naiads, it was much more reasonable and useful to worship these fantastic images of the deity than to sink into atheism. A violent atheist would be as great a plague as a violent superstitious man.

When men have not sound ideas of the divinity, false ideas will take their place; just as, in ages of impoverishment, when there is not sound money, people use bad coin. The pagan feared to commit a crime lest he should be punished by his false gods; the Asiatic fears the chastisement of his pagoda. Religion is necessary wherever there is a settled society. The laws take care of known crimes; religion watches secret crime.

But once men have come to embrace a pure and holy religion, superstition becomes, not merely useless, but dangerous. We must not feed on acorns those to whom God offers bread.

Superstition is to religion what astrology is to astronomy—the mad daughter of a wise mother. These daughters have too long dominated the earth. . . .

There remain, it is true, a few bigoted fanatics in the suburbs; but the disease, like vermin, attacks only the lowest of the populace. Every day reason penetrates farther into France, into the shops of merchants as well as the

mansions of lords. We must cultivate the fruits of reason, the more willingly since it is now impossible to prevent them from developing. France, enlightened by Pascal, Nicole, Arnaud, Bossuet, Descartes, Gassendi, Bayle, Fontenelle, etc., cannot be ruled as it was ruled in earlier times.

If the masters of error—the grand masters—so long paid and honoured for brutalising the human species, ordered us to-day to believe that the seed must die in order to germinate; that the earth stands motionless on its foundations—that it does not travel round the sun; that the tides are not a natural effect of gravitation; that the rainbow is not due to the refraction and reflection of light, etc., and based their decrees on ill-understood passages of Scripture, we know how they would be regarded by educated men. Would it be too much to call them fools? And if these masters employed force and persecution to secure the ascendancy of their insolent ignorance, would it be improper to speak of them as wild beasts?

The more the superstitions of the monks are despised, the more the bishops and priests are respected; while they do good, the monkish superstitions from Rome do nothing but evil. And of all these superstitions, is not the most dangerous that of hating one's neighbour on account of his opinions? And is it not evident that it would be even more reasonable to worship the sacred navel, the sacred prepuce, and the milk and dress of the Virgin Mary, than to detest and persecute one's brother?

OF UNIVERSAL TOLERATION

One does not need great art and skilful eloquence to prove that Christians ought to tolerate each other—nay, even to regard all men as brothers. Why, you say, is the Turk, the Chinese, or the Jew my brother? Assuredly; are we not all children of the same father, creatures of the same God?

But these people despise us and treat us as idolaters. Very well; I will tell them that they are quite wrong. It seems to me that I might astonish, at least, the stubborn pride of a Mohammedan or a Buddhist priest if I spoke to them somewhat as follows:

This little globe, which is but a point, travels in space like many other globes; we are lost in the immensity. Man, about five feet high, is certainly a small thing in the universe. One of these imperceptible beings says to some of his neighbours, in Arabia or South Africa: "Listen to me, for the God of all these worlds has enlightened me. There are nine hundred million little ants like us on the earth, but my ant-hole alone is dear to God. All the others are eternally reprobated by him. Mine alone will be happy."

They would then interrupt me, and ask who was the fool that talked all this

nonsense. I should be obliged to tell them that it was themselves. I would then try to appease them, which would be difficult.

I would next address myself to the Christians, and would venture to say to, for instance, a Dominican friar—an inquisitor of the faith: "Brother, you are aware that each province in Italy has its own dialect, and that people do not speak at Venice and Bergamo as they do at Florence. The Academy of La Crusca has fixed the language. Its dictionary is a rule that has to be followed, and the grammar of Matei is an infallible guide. But do you think that the consul of the Academy, or Matei in his absence, could in conscience cut out the tongues of all the Venetians and the Bergamese who persisted in speaking their own dialect?"

The inquisitor replies: "The two cases are very different. In our case it is a question of your eternal salvation. It is for your good that the heads of the inquisition direct that you shall be seized on the information of any one person, however infamous or criminal; that you shall have no advocate to defend you; that the name of your accuser shall not be made known to you; that the inquisitor shall promise you pardon and then condemn you; and that you shall then be subjected to five kinds of torture, and afterwards either flogged or sent to the galleys or ceremoniously burned. On this Father Ivonet, Doctor Chucalon, Zanchinus, Campegius, Royas, Telinus, Gomarus, Diabarus, and Gemelinus are explicit, and this pious practice admits of no exception."

I would take the liberty of replying: "Brother, possibly you are right. I am convinced that you wish to do me good. But could I not be saved without all that?"

It is true that these absurd horrors do not stain the face of the earth every day; but they have often done so, and the record of them would make up a volume much larger than the gospels which condemn them. Not only is it cruel to persecute, in this brief life, those who differ from us, but I am not sure if it is not too bold to declare that they are damned eternally. It seems to me that it is not the place of the atoms of a moment, such as we are, thus to anticipate the decrees of the Creator. Far be it from me to question the principle, "Out of the Church there is no salvation." I respect it, and all that it teaches; but do we really know all the ways of God, and the full range of his mercies? May we not hope in him as much as fear him? Is it not enough to be loyal to the Church? Must each individual usurp the rights of the Deity, and decide, before he does, the eternal lot of all men?

When we wear mourning for a king of Sweden, Denmark, England, or Prussia, do we say that we wear mourning for one who burns eternally in hell? There are in Europe forty million people who are not of the Church

of Rome. Shall we say to each of them: "Sir, seeing that you are infallibly damned, I will neither eat, nor deal, nor speak with you"?

What ambassador of France, presented in audience to the Sultan, would say in the depths of his heart: "His Highness will undoubtedly burn for all eternity because he has been circumcised"? If he really believed that the Sultan is the mortal enemy of God, the object of his vengeance, could he speak to him? Ought he to be sent to him? With whom could we have intercourse? What duty of civil life could we ever fulfil if we were really convinced that we were dealing with damned souls?

Followers of a merciful God, if you were cruel of heart; if, in worshipping him whose whole law consisted in loving one's neighbour as oneself, you had burdened this pure and holy law with sophistry and unintelligible disputes; if you had lit the fires of discord for the sake of a new word or a single letter of the alphabet; if you had attached eternal torment to the omission of a few words or ceremonies that other peoples could not know, I should say to you:

"Transport yourselves with me to the day on which all men will be judged, when God will deal with each according to his works. I see all the dead of former ages and of our own stand in his presence. Are you sure that our Creator and Father will say to the wise and virtuous Confucius, to the law-giver Solon, to Pythagoras, to Zaleucus, to Socrates, to Plato, to the divine Antonines, to the good Trajan, to Titus, the delight of the human race, to Epictetus, and to so many other model men: "Go, monsters, go and submit to a chastisement infinite in its intensity and duration; your torment shall be as eternal as I. And you, my beloved, Jean Chatel, Ravailac, Damiens, Cartouche, etc. [assassins in the cause of the Church], who have died with the prescribed formulæ, come and share my empire and felicity for ever."

You shrink with horror from such sentiments; and, now that they have escaped me, I have no more to say to you.

BARON D'HOLBACH

PAUL HENRI THYRY, Baron d'Holbach (1723-89), was the most outspoken and systematic of the materialists in the French Enlightenment. Scientist and philosopher, he contributed to the *Encyclopédie*, the great general compilation of the ideas of the age, and his own *The System of Nature* (1770) has been called "the Bible of Materialism." He was born in Germany but went at an early age to Paris, where he spent most of his life. Wealthy, hospitable, and personally popular, he made his home the meeting place of leading thinkers of the time. Following in a tradition that had been given philosophic expression in early Greek thought, Holbach felt that the appeal to supernatural and miraculous explanation is an abandonment of the scientific attitude and the source of superstition and intolerance. In the two selections that follow, the first and longer from *Good Sense* (1722), he explains the foundations of his viewpoint and gives the reasons for his belief that in the last analysis true morality is consistent only with a naturalistic philosophy.

The nobility of Holbach's character was a universally recognized fact. The arch-opponent of both Christianity as a system and priesthood as an institution, he could remain the friend of men who were revolted by his views. Though an enemy of the life and thought of the Jesuits, he opened his home to them as a place of refuge when they were suppressed under Louis XV.

Contrary to popular belief, materialism was not the view professed by the majority of thinkers in Holbach's age. It was rather the most radical phase of Enlightenment thought, and in the extent to which Holbach identified the position with the proper use of reason he went beyond such men as La Mettrie (1709-51), the author of *Man a Machine* (1746), or the versatile Diderot (1713-84), chief editor of the *Encyclopédie* and author of parts of Holbach's *System of Nature*. It is worth remembering that the *Encyclopédie*, which in its many volumes expresses no overall viewpoint but only the common spirit of emancipated thinking, met persistent opposition from the clergy and the royal censorship. Holbach's books had to be printed outside of France and to appear either anonymously or under false names. Replies to Holbach were written by Voltaire and Frederick the Great.

The translation from the French of *Good Sense* is by H. D. Robinson, 1856; that of the *System* is anonymous and dated 1816.



GOOD SENSE

WHEN WE COOLLY EXAMINE the opinions of men, we are surprised to find that even in those opinions which they regard as the most essential, nothing is more uncommon than common sense; or, in other words, nothing is more

uncommon than a degree of judgment sufficient to discover the most simple truths, or reject the most striking absurdities, and to be shocked with palpable contradictions. We have an example of it in Theology, a science revered in all times and countries by the greatest number of men; an object regarded by them the most important, the most useful, and the most indispensable to the happiness of society. An examination, however slight, of the principles upon which this pretended science is founded, forces us to acknowledge, that these principles, formerly judged incontestable, are only hazardous suppositions, imagined by ignorance, propagated by enthusiasm or knavery, adopted by timid credulity, preserved by custom which never reasons, and revered solely because not understood. "Some," says Montaigne, "make *the world* think that they believe what they do not; others, in greater number, make *themselves* think that they believe what they do not, not knowing what belief is." . . .

Oppressed by the double yoke of spiritual and temporal power, it has been impossible for the people to know and pursue their happiness. As Religion, so Politics and Morality became sacred things, which the profane were not permitted to handle. Men have had no other Morality than what their legislators and priests brought down from the unknown regions of heaven. The human mind, confused by its theological opinions ceased to know its own powers, mistrusted experience, feared truth and disdained reason, in order to follow authority. Man has been a mere machine in the hands of tyrants and priests, who alone have had the right of directing his actions. Always treated as a slave, he has contracted the vices of a slave.

Such are the true causes of the corruption of morals, to which Religion opposes only ideal and ineffectual barriers. Ignorance and servitude are calculated to make men wicked and unhappy. Knowledge, Reason, and Liberty, can alone reform them, and make them happier. But every thing conspires to blind them, and to confirm them in their errors. Priests cheat them, tyrants corrupt, the better to enslave them. Tyranny ever was, and ever will be, the true cause of man's depravity, and also of his habitual calamities. Almost always fascinated by religious fiction, poor mortals turn not their eyes to the natural and obvious causes of their misery; but attribute their vices to the imperfection of their natures, and their unhappiness to the anger of the gods. They offer up to heaven vows, sacrifices, and presents, to obtain the end of their sufferings, which in reality, are attributable only to the negligence, ignorance, and perversity of their guides, to the folly of their customs, to the unreasonableness of their laws, and above all, to the general want of knowledge. Let men's minds be filled with true ideas; let their reason be cultivated; let justice govern

them; and there will be no need of opposing to the passions such a feeble barrier as the fear of the gods. Men will be good when they are well instructed, well governed, and when they are punished or despised for the evil, and justly rewarded for the good, which they do to their fellow citizens.

In vain should we attempt to cure men of their vices, unless we begin by curing them of their prejudices. It is only by showing them the truth, that they will perceive their true interests, and the real motives that ought to incline them to do good. Instructors have long enough fixed men's eyes upon heaven; let them now turn them upon earth. An incomprehensible theology, ridiculous fables, impenetrable mysteries, puerile ceremonies, are too fatiguing to be any longer endured. Let the human mind apply itself to what is natural, to intelligible objects, sensible truths, and useful knowledge. Let vain chimeras be banished; and reasonable opinions will of their own accord enter into heads thought to be destined to perpetual error.

Does it not suffice to annihilate or shake religious prejudice, to show, that what is inconceivable to man cannot be made for him? Does it require anything but plain common sense to perceive, that a being incompatible with the most evident notions—that a cause continually opposed to the effects which we attribute to it—that a being, of whom we can say nothing, without falling into contradiction—that a being, who, far from explaining the enigmas of the universe, only makes them more inexplicable—that a being, whom for so many ages men have so vainly addressed to obtain their happiness, and the end of their sufferings—does it require, I say, anything but plain, common sense, to perceive—that the idea of such a being is an idea without model, and that he himself is merely a phantom of the imagination? Is anything necessary but common sense to perceive, at least, that it is folly and madness for men to hate and torment one another about unintelligible opinions concerning a being of this kind? In short, does not everything prove that Morality and Virtue are totally incompatible with the notions of a God, whom his ministers and interpreters have described, in every country, as the most capricious, unjust, and cruel of tyrants, whose pretended will, however, must serve as law and rule to the inhabitants of the earth?

To discover the true principles of Morality, men have no need of theology, of revelation, or of gods: they have need only of common sense. They have only to commune with themselves, to reflect upon their own nature, to consult their visible interests, to consider the objects of society, and of the individuals who compose it; and they will easily perceive, that virtue is advantageous, and vice disadvantageous to such beings as themselves. Let us persuade men to be just, beneficent, moderate, sociable; not because such conduct is de-

manded by the gods, but because it is pleasure to men. Let us advise them to abstain from vice and crime; not because they will be punished in the other world, but because they will suffer for it in this. . . .

(1.) There is a vast empire, governed by a monarch, whose strange conduct is very proper to confound the minds of his subjects. He wishes to be known, loved, respected, obeyed; but never shows himself to his subjects, and everything conspires to render uncertain the ideas formed of his character.

The people, subjected to his power, have, of the character and laws of their invisible sovereign, such ideas only, as his ministers give them. They however, confess that they have no idea of their master; that his ways are impenetrable; his views and nature totally incomprehensible. These ministers, likewise, disagree upon the commands which they pretend have been issued by the sovereign, whose instruments they call themselves. They announce them differently to each province of the empire. They defame one another, and mutually treat each other as impostors and false teachers. The decrees and ordinances they take upon themselves to promulgate are obscure; they are enigmas, little calculated to be understood, or even divined, by the subjects for whose instruction they were intended. The laws of the concealed monarch require interpreters; but the interpreters are always disputing upon the true manner of understanding them. Besides they are not consistent with themselves; all they relate of their concealed prince is only a thread of contradiction. They utter concerning him not a single word that does not immediately confute itself. They call him supremely good; yet there is no one who does not complain of his decrees. They suppose him infinitely wise; and under his administration everything appears to contradict reason and good sense. They extol his justice; and the best of his subjects are generally the least favoured. They assert, he sees everything; yet his presence avails nothing. He is, they say, the friend of order; yet throughout his dominions, all is in confusion and disorder. He makes all for himself; and the events seldom answer his designs. He foresees everything; but cannot prevent anything. He impatiently suffers offence, yet gives everyone the power of offending him. Men admire the wisdom and perfection of his works; yet his works, full of imperfection, are short of duration. He is continually doing and undoing: repairing what he has made; but is never pleased with his work. In all his undertakings, he proposes only his own glory; yet is never glorified. His only end is the happiness of his subjects; and his subjects for the most part want necessities. Those whom he seems to favour are generally least satisfied with their fate; almost all appear in perpetual revolt against a master

whose greatness they never cease to admire, whose wisdom to extol, whose goodness to adore, whose justice to fear, and whose laws to reverence, though never obeyed!

This empire is the world; this Monarch *God*; his ministers are the Priests; his subjects mankind. . . .

(20.) Metaphysics teach us, that God is a *pure spirit*. But, herein is modern theology superior to that of the savages? The savages acknowledge a *great spirit* for the master of the world. The savages, like all ignorant people, attribute to *spirits* all the effects of which their experience cannot discover the true causes. Ask a savage, what moves your watch? They answer you, *it is a spirit*. Ask our divines, what moves the universe? They answer, *it is a spirit*.

(21.) The savage, when he speaks of a spirit, affixes, at least, some idea to the word; he means thereby an agent, like the air, the breeze, the breath, that invisibly produces discernible effects. By subtilizing everything, the modern theologian becomes as unintelligible to himself as to others. Ask him what he understands by a spirit He will answer you that it is an unknown substance, perfectly simple, that has no extension, that has nothing common with matter. Indeed, is there anyone who can form the least idea of such a substance? What then is a spirit, to speak in the language of modern theology, but the absence of an idea? The idea of *spirituality* is yet an idea without model.

(22.) Is it not more natural and intelligible to draw universal existence from the bosom of matter, whose existence is demonstrated by all the senses, and whose effects we experience every moment, which we see act, move, communicate motion, and incessantly generate, than to attribute the formation of things to an unknown power, to a spiritual being, who cannot derive from his nature what he has not himself, and who, by his spiritual essence, can create neither matter nor motion? Nothing is more evident than that the idea they endeavour to give us, of the action of mind upon matter, represents no object, or is an idea without model.

(42.) Whence comes man? What is his origin? Is he then the effect of a fortuitous concourse of atoms? Did the first man spring, ready formed, from the dust of the earth? I know not. Man appears to me, like all other beings, a production of nature. I should be equally embarrassed to tell whence came the first stones, the first trees, the first lions, the first elephants, the first ants, the first acorns, etc., as to explain the origin of man. We are incessantly told to acknowledge and revere the hand of God, of an infinitely wise, intelligent and powerful maker, in so wonderful a work as the human machine. I readily

confess that the human machine appears to me surprising. But as man exists in nature, I am not authorized to say that his formation is above the power of nature. . . .

(44.) The worshippers of a God find, above all in the order of the universe, an invincible proof of the existence of an intelligent and wise being, who governs it. But this order is nothing but a series of movements necessarily produced by causes or circumstances, which are sometimes favourable and sometimes hurtful to us: we approve of some, and complain of others.

Nature uniformly follows the same round; that is, the same causes produce the same effects, as long as their action is not disturbed by other causes, which force them to produce different effects. When the operation of causes, whose effects we experience, is interrupted by causes, which, though unknown, are not the less natural and necessary, we are confounded; we cry out, *a miracle!* and attribute it to a cause much more unknown than any of those acting before our eyes.

The universe is always in order. It cannot be in disorder. It is our machine alone that suffers when we complain of disorder. The bodies, causes, and beings which this world contains, necessarily act in the manner in which we see them act, whether we approve or disapprove of the effects. Earthquakes, volcanos, inundations, pestilences, and famines are effects as necessary, or as much in the order of nature, as the fall of heavy bodies, the courses of rivers, the periodical motions of the seas, the blowing of the winds, the fruitful rains, and the favourable effects, for which men praise God and thank him for his goodness.

To be astonished that a certain order reigns in the world, is to be surprised that the same causes constantly produce the same effects. To be shocked at disorder, is to forget, that when things change, or are interrupted in their actions, the effects can no longer be the same. To wonder at the order of nature, is to wonder that anything can exist; it is to be surprised at one's own existence. What is order to one being, is disorder to another. All wicked beings find that everything is in order, when they can with impunity put everything in disorder. They find, on the contrary, that everything is in disorder, when they are disturbed in the exercise of their wickedness.

(57.) . . . It is more than two thousand years, since, according to Lactantius, the sage Epicurus observed: "either God would remove evil out of this world, and cannot; or he can, and will not; or he has not the power nor will; or, lastly, he has both the power and will. If he has the will, and not the power, this shows weakness, which is contrary to the nature of God. If he has the power, and not the will, it is malignity; and this is no less contrary to his nature. If he is neither able nor willing, he is both impotent and malignant,

and consequently cannot be God. If he be both willing and able (which alone is consonant to the nature of God) whence comes evil, or why does he not prevent it?" Reflecting minds have been waiting a reasonable solution of these difficulties for more than two thousand years; and our divines tell us that they will be removed only in a future life.

(63.) Many people make a subtle distinction between true religion and superstition. They say, that the latter is only a base subordinate fear of the Deity; but that the truly religious man has confidence in his God, and loves him sincerely; whereas, the superstitious man sees in him only an enemy, has no confidence in him, and represents him to himself as a distrustful, cruel tyrant, sparing of his benefits, lavish of his chastisements. But, in reality, does not all religion give us the same ideas of God? At the same time that we are told that God is infinitely good, are we not also told that he is very easily provoked, that he grants his favours to a few people only, and that he furiously chastises those to whom he has not been pleased to grant them?

(64.) If we take our ideas of God from the nature of things, where we find a mixture of good and evil, this God, just like the good and evil which we experience, must naturally appear capricious, inconstant, sometimes good, and sometimes malevolent; and therefore, instead of exciting our love, must generate distrust, fear, and uncertainty. There is then no real difference between natural religion and the most gloomy and servile superstition: If the theist sees God only in a favourable light, the bigot views him in the most hideous light. The folly of the one is cheerful, that of the other is melancholy; but both are equally delirious.

(104.) Are not theologians strange reasoners? Whenever they cannot divine the *natural* causes of things, they invent those which they call *supernatural*; such as spirits, occult causes, inexplicable agents, or rather *words*, much more obscure than the *things* they endeavour to explain. Let us remain in nature, when we wish to account for the phenomena of nature; let us be content to remain ignorant of causes too delicate for our organs; and let us be persuaded, that, by going beyond nature, we shall never solve the problems which nature presents. . . .

(105.) It is objected against us, that materialism makes man a mere machine, which is thought very dishonourable to the whole human species. But, will it be much more honourable for man, if we should say, that he acts by the secret impulses of a spirit, or by a certain *I know not what*, that animates him in a manner totally inexplicable.

It is easy to perceive, that the supposed superiority of *spirit* over matter, or of the soul over the body, has no other foundation than men's ignorance of the nature of this soul, while they are more familiarized with *matter*, with which

they imagine they are acquainted, and of which they think they can discern the springs. But the most simple movements of our bodies are to every man who studies them, enigmas, as inexplicable as thought.

(106.) The high value which so many people set upon spiritual substance has no other motive than their absolute inability to define it intelligibly. The contempt shown for *matter* by our metaphysicians, arises only from the circumstance that familiarity begets contempt. When they tell us that *the soul is more excellent and noble than the body*, they only say that, what they know not at all must be far more beautiful than what they have some feeble ideas of.

(107.) The dogma of another life is incessantly extolled as useful. It is maintained, that even though it should be only a fiction, it is advantageous, because it deceives men, and conducts them to virtue. But is it true that this dogma makes men wiser and more virtuous? Are the nations who believe this fiction remarkable for purity of morals? Has not the visible world ever the advantage over the invisible? If those who are intrusted with the instruction and government of men had knowledge and virtue themselves, they would govern them much better by realities than by fictions. But legislators, crafty, ambitious and corrupt, have everywhere found it shorter to amuse nations with fables than to teach them truths, to unfold their reason, to excite them to virtue by sensible and real motives, in fine, to govern them in a rational manner. Priests undoubtedly had reasons for making the soul immaterial; they wanted souls and chimeras to people the imaginary regions, which they have discovered in the other life. Material souls would, like all bodies, have been subject to dissolution. Now, if men should believe that all must perish with the body the geographers of the other world would evidently lose the right of guiding men's souls towards that unknown abode; they would reap no profits from the hope with which they feed them and the terrors with which they oppress them. If futurity is of no real utility to mankind, it is, at least, of the greatest utility to those who have assumed the office of conducting them thither.

(108.) "But, it will be said, is not the dogma of the immortality of the soul comforting to beings who are often very unhappy here below? Though it should be an error, is it not pleasing? Is it not a blessing to man to believe that he shall be able to survive himself, and enjoy hereafter a happiness which is denied him upon earth?" Thus, poor mortals! you make your wishes the measure of truth; because you desire to live for ever, and to be happier, you at once conclude, that you shall live for ever, and that you shall be more fortunate in an unknown world than in this known world where you often find nothing but affliction! Consent therefore to leave, without regret, this world which gives the greater part of you much more torment than pleasure. Sub-

mit to the order of nature, which demands that you, as well as all other beings, should not endure for ever. But what will become of me? asketh thou, O mortal! Thou wilt be what thou wast, millions of years ago. Thou wast then, I know not what; resolve then to become instantaneously *I know not what*, which thou wast millions of years ago; return peaceably to the universal mass, from which without thy knowledge, thou camest in thy present form, and pass away without murmuring, like all the beings who surround thee. . . .

(118.) The Deist exclaims: "Abstain from worshipping the cruel capricious God of theology; mine is a being infinitely wise and good; he is the father of men, the mildest of sovereigns; it is he who fills the universe with his benefits." But do you not see that everything in this world contradicts the good qualities which you ascribe to your God? In the numerous family of this tender father, almost all are unhappy. Under the government of this sovereign, vice is triumphant, and virtue in distress. Among those blessings you extol, and which alone your enthusiasm would see, I behold a multitude of evils of every kind, against which you obstinately shut your eyes. Forced to acknowledge that your beneficent God, in contradiction with himself, distributes good and evil with the same hand, for his justification you must, like the priest, refer me to the regions of another life. Invent, therefore, another God; for yours is no less contradictory than that of theologians.

A good God, who does evil, or consents to the commission of evil; a God full of equity, and in whose empire innocence is often oppressed; a perfect God, who produces none but imperfect and miserable works; are not such a God and his conduct as great mysteries as that of the incarnation?

You blush for your fellow-citizens, who allow themselves to be persuaded that the God of the universe could change himself into a man and die upon a cross in a corner of Asia. The mystery of the incarnation appears to you very absurd. You think nothing more ridiculous than a God who transforms himself into bread and causes himself daily to be eaten in a thousand different places. But are all these mysteries more contradictory to reason than a God, the avenger and rewarder of the actions of men? Is man, according to you, free, or not free? In either case, your God, if he has the shadow of equity, can neither punish nor reward him. If man is free, it is God who has made him free; therefore God is the primitive cause of all his actions; in punishing him for his faults, he would punish him for having executed what he had given him liberty to do. If man is not free to act otherwise than he does, would not God be the most unjust of beings, in punishing him for faults which he could not help committing.

The minor, or secondary, absurdities with which all religions abound, are to many people truly striking; but they have not the courage to trace out the

source whence these absurdities must necessarily have flowed. They see not, that a God full of contradictions, caprices and inconsistent qualities, has only served to disorder men's imaginations, and to produce an endless succession of chimeras.

(119.) The theologian would shut the mouths of those who deny the existence of a God, by saying, that all men in all ages and countries have acknowledged the government of some divinity or other; that every people upon earth have believed in an invisible and powerful being, who has been the object of their worship and veneration; in short, that there is no nation, however savage, who are not persuaded of the existence of some intelligence superior to human nature. But can an error be changed into truth by the belief of all men? A great philosopher has justly observed, that "general tradition, or the unanimous consent of mankind is no criterion of truth." Another sage had before said, "that a host of learned men were insufficient to alter the nature of error and convert it into truth." . . .

(155.) Religion, especially with the moderns, has tried to identify itself with morality, the principles of which it has thereby totally obscured. It has rendered men unsociable by duty, and forced them to be inhuman to every one who thought differently from themselves. Theological disputes, equally unintelligible to each of the enraged parties, have shaken empires, caused revolutions, been fatal to sovereigns, and desolated all Europe. These contemptible quarrels have not been extinguished even in rivers of blood. Since the extinction of paganism, the people have made it a religious principle to become outraged whenever any opinion is advanced which their priests think contrary to *sound doctrine*. The sectaries of a religion, which preaches, in appearance, nothing but charity, concord, and peace, have proved themselves more ferocious than cannibals or savages, whenever their divines excited them to destroy their brethren. There is no crime which men have not committed under the idea of pleasing the Divinity, or appeasing his wrath. . . .

(168.) . . . To found morality upon a God, whom every one paints to himself differently, composes in his way, and arranges according to his own temperament and interest, is evidently to found morality upon the caprice and imagination of men; it is to found it upon the whims of a sect, a faction, a party, who will believe they have the advantage to adore a true God to the exclusion of all others.

To establish morality or the duties of man upon the divine will, is to found it upon the will, the reveries and the interests of those who make God speak without ever fearing that he will contradict them. In every religion, priests alone have a right to decide what is pleasing or displeasing to their God; we

are certain, they will always decide that it is what pleases or displeases themselves. . . .

(171.) We are perpetually told that without a God there would be no *moral obligation*; that the people and even the sovereigns require a legislator powerful enough to constrain them. Moral constraint supposes a law; but this law arises from the eternal and necessary relations of things with one another; relations which have nothing common with the existence of a God. The rules of man's conduct are derived from his own nature which he is capable of knowing, and not from the divine nature of which he has no idea. These rules constrain or oblige us; that is, we render ourselves estimable or contemptible, amiable or detestable, worthy of reward or of punishment, happy or unhappy, according as we conform to or deviate from these rules. The law which obliges man not to hurt himself is founded upon the nature of a sensible being, who, in whatever way he came into the world, or whatever may be his fate in a future one, is forced by his actual essence to seek good and shun evil, to love pleasure and fear pain. The law which obliges man not to injure, and even to do good to others, is founded upon the nature of sensible beings, living in society, whose essence compels them to despise those who are useless, and to detest those who oppose their felicity.

Whether there exists a God or not, whether this God has spoken or not, the moral duties of men will be always the same, so long as they retain their peculiar nature, that is, as long as they are sensible beings. Have men then need of a God whom they know not, of an invisible legislator, of a mysterious religion and of chimerical fears, in order to learn that every excess evidently tends to destroy them, that to preserve health they must be temperate; that to gain the love of others it is necessary to do them good, that to do them evil is the sure means to incur their vengeance and hatred.

"Before the law there was no sin." Nothing is more false than this maxim. It suffices that man is what he is, or that he is a sensible being, in order to distinguish what gives him pleasure or displeasure. It suffices that one man knows that another man is a sensible being like himself, to perceive what is useful or hurtful to him. It suffices that man needs his fellow-creature, in order to know that he must fear to excite in him sentiments unfavourable to himself. Thus the feeling and thinking being has only to feel and think, in order to discover what he must do for himself and others. I feel, and another feels like me; this is the foundation of all morals.

(172.) We can judge of the goodness of a system of morals only by its conformity to the nature of man. By this comparison, we have a right to reject it, if contrary to the welfare of our species. Whoever has seriously meditated

religion and its supernatural morality; whoever has carefully weighed their advantages and disadvantages, will be fully convinced, that both are injurious to the interests of man, or directly opposite to his nature.

(177.) It is asserted, that the dogma of another life is of the utmost importance to the peace and happiness of societies; that without it, men would be destitute of motives to do good. What need is there of terrors and fables to make every rational man sensible how he ought to conduct himself upon earth? Does not every one see that he has the greatest interest in meriting the approbation, esteem, and benevolence of the beings who surround him, and in abstaining from everything by which he may incur the censure, contempt, and resentment of society? However short an entertainment, a conversation, or visit, does not each desire to act his part decently, and agreeably to himself and others? If life is but a passage, let us strive to make it easy; which we cannot effect if we fail in regard for those who travel with us.

Religion, occupied with its gloomy reveries, considers man merely as a pilgrim upon earth; and therefore supposes that, in order to travel the more securely, he must forsake company and deprive himself of the pleasures and amusements which might console him for the tediousness and fatigue of the road. A stoical and morose philosopher sometimes gives us advice as irrational as that of religion. But a more rational philosophy invites us to spread flowers in the way of life, to dispel melancholy and panic terrors, to connect our interest with that of our fellow-travellers, and by gaiety and lawful pleasures, to divert our attention from the difficulties and cross accidents to which we are often exposed; it teaches us that, to travel agreeably, we should abstain from what might be injurious to ourselves, and carefully shun what might render us odious to our associates.

(178.) . . . Conscience is the internal testimony, which we bear to ourselves, of having acted so as to merit the esteem or blame of the beings with whom we live; and it is founded upon the clear knowledge we have of men, and of the sentiments which our actions must produce in them. The conscience of the religious man consists in imagining that he has pleased or displeased his God, of whom he has no idea, and whose obscure and doubtful intentions are explained to him only by men of doubtful veracity, who, like him, are utterly unacquainted with the essence of the Deity, and are little agreed upon what can please or displease him. In a word, the conscience of the credulous is directed by men who have themselves an erroneous conscience, or whose interest stifles knowledge. . . .

(180.) A man of reflection cannot be incapable of his duties, of discovering the relations subsisting between men, of meditating his own nature, of discerning his own wants, propensities, and desires, and of perceiving what he owes

to beings who are necessary to his happiness. These reflections naturally lead him to a knowledge of the morality most essential to social beings. Dangerous passions seldom fall to the lot of the man who loves to commune with himself, to study, and to investigate the principles of things. The strongest passion of such a man will be to know truth, and his ambition to teach it to others. Philosophy is proper to cultivate both the mind and the heart. On the score of morals and honesty, has not he who reflects and reasons evidently an advantage over him who makes it a principle never to reason?

SYSTEM OF NATURE

IN NATURE . . . there can be only natural causes and effects; all the motion excited in this nature follows constant and necessary laws: the natural operations to the knowledge of which we are competent, of which we are in a capacity to judge, are of themselves sufficient to enable us to discover those which elude our sight; we can at least judge of them by analogy. If we study nature with attention, the modes of action which she displays to our senses will teach us not to be disconcerted by those which she refuses to discover. Those causes which are the most remote from their effects, unquestionably act by intermediate causes; by the aid of these, we can frequently trace out the first. If in the chain of these causes, we sometimes meet with obstacles that oppose themselves to our research, we ought to endeavour by patience and diligence to overcome them; when it so happens, we cannot surmount the difficulties that occur, we still are never justified in concluding the chain to be broken, or that the cause which acts is *supernatural*. Let us then be content with an honest avowal, that Nature contains resources of which we are ignorant; but never let us substitute phantoms, fictions, or imaginary causes, senseless terms, for those causes, which escape our research; because, by such means, we only confirm ourselves in ignorance, impede our enquiries, and obstinately remain in error. . . .

. . . We cannot go beyond this aphorism, *matter acts, because it exists, and exists, to act*. If it be enquired how, or for why, matter exists? we answer, we know not: but reasoning by analogy, of what we do not know, by that which we do, we should be of opinion, it exists necessarily, or because it contains within itself a sufficient reason for its existence. In supposing it to be created or produced by a being distinguished from it, or less known than itself, which it may be, for anything we know to the contrary, we must still admit that this being is necessary, and includes a sufficient reason for his own existence. We have not then removed any of the difficulty, we have not thrown a

clearer light on the subject, we have not advanced a single step; we have simply laid aside a being of which we know some few of the properties, but of which we are still extremely ignorant, to have recourse to a power of which it is utterly impossible we can, as long as we are men, form any distinct idea; of which, notwithstanding it may be a truth, we cannot by any means we possess, demonstrate the existence. . . .

It will, no doubt, be argued, that as nature contains and produces intelligent beings, either she must be herself intelligent, or else she must be governed by an intelligent cause. We reply, intelligence is a faculty peculiar to organized beings, that is to say, to beings constituted and combined, after a determinate manner; from whence results certain modes of action, which are designated under various names, according to the different effects which these beings produce: wine, has not the properties called *wit and courage*; nevertheless, it is sometimes seen, that it communicates those qualities to men who are supposed to be in themselves entirely devoid of them. It cannot be said nature is intelligent, after the manner of any one of the beings she contains; but she can produce intelligent beings, by assembling matter suitable to form the particular organization, from whose peculiar modes of action will result the faculty called intelligence; that shall be capable of producing those effects, which are the necessary consequence of this property. I therefore repeat, that to have intelligence, designs and views, it is requisite to have ideas: to the production of ideas, organs or senses are necessary: that is what is neither said of nature, nor of the causes supposed to preside over her actions. In short, experience warrants the assertion, it does more, it proves beyond a doubt, that matter which is regarded as inert and dead, assumes sensible action, intelligence, life, when it is combined after certain, when it is organized after particular, modes. . . .

If it be wished to draw man to virtue, let the natural philosopher, let the anatomist, let the physician, unite their experience; let them compare their observations, in order to shew what ought to be thought of a substance, so disguised, so hidden, under a heap of absurdities, as not easily to be known. Their discoveries may perhaps teach moralists the true motive-power that ought to influence the actions of man—legislators, the true motives that should actuate him, that should excite him to labour to the welfare of society—sovereigns, the means of rendering their subjects truly happy; of giving solidity to the power of the nations, committed to their charge. Physical souls, have physical wants, demand physical happiness. These are real, are preferable objects, to that variety of fanciful chimeras, each in its turn giving place to the other, with which the mind of man has been fed, during so many ages. Let us, then, labour to perfect the morality of man; let us make it agreeable to him; let us

excite in him an ardent thirst for its purity: we shall presently see his morals become better, himself become happier; his soul become calm and serene; his will determined to virtue, by the natural, by the palpable motives held out to him. By the diligence, by the care which legislators shall bestow on natural philosophy, they will form citizens of sound understandings; robust and well constituted; who, finding themselves happy, will be themselves accessory to that useful impulse, so necessary for their soul. When the body is suffering, when nations are unhappy, the soul cannot be in a proper state. *Mens sana in corpore sano*, a sound mind in a sound body, will be always able to make a good citizen.

The more man reflects, the more he will be convinced that the soul, very far from being distinguished from the body, is only the body itself, considered relatively to some of its functions; or to some of the modes of existing or acting, of which it is susceptible whilst it enjoys life. Thus, the soul is man considered relatively to the faculty he has of feeling, of thinking, of acting in a mode resulting from his peculiar nature; that is to say, from his properties, from his particular organization; from the modifications, whether durable or transitory, which the beings who act upon him cause his machine to undergo.

JEAN ANTOINE NICOLAS DE CONDORCET

IN SOMETHING of the same way in which the diverse enterprises of the Middle Ages were unified in the drama of salvation and came together in "the journey of the mind to God," the intellectual fermentation and the new ideals of the "Enlightenment" came together in the "progress of the human mind." Within this generally accepted context, however, a number of ideas of progress were developed. The most comprehensive of these was Condorcet's *Progress of the Human Mind*, in which practically all the characteristic ideals of the century are caught up. No other book is so revealing of the climate of opinion of the eighteenth century.

The background of Condorcet (1743-94) seems curious in the light of the fact that he became the man who represented most typically the philosophic spirit—*l'esprit philosophique*—which replaced Providence with the trinity of Nature, Reason, and Humanity. Condorcet was born in Picardy of a noble family and had the title of marquis. As his father was a captain in the royal cavalry, and his uncle a high official in the Church, Condorcet was surrounded as a boy by high dignitaries in the army and the Church. Other factors, too, enhance the paradoxical character of the education of this future *philosophe* and revolutionary. Condorcet's mother was a superstitious woman; devoted to him, and in the effort to protect him from unseen dangers, she dressed the boy as a girl—a circumstance which weakened Condorcet's already none too robust constitution. Like that of so many of the *philosophes*, his early education was under the Jesuits. This education was unavailing, however. At seventeen he already had the rationalist predilection for setting aside theology in the discussion of moral questions, and at nineteen he determined to forsake the army career which his family had intended for him and to devote himself to mathematics, for which he had demonstrated a considerable flair. He was eventually assisted in the untroubled pursuit of his career by his uncle, the bishop of Lisieux, who willed to the young scientist his small fortune.

Condorcet distinguished himself as a mathematician, and in 1773 he was named perpetual secretary of the French Academy of Sciences. After 1774, however, he divided his energies more and more between his research and political pamphleteering and agitation, and when the Revolution took place Condorcet was high in the councils of the Girondists. The Girondist party was an ardent advocate of a democratic and federal republic but at the same time too well-to-do and moderate to trust the ascendant Paris proletariat, represented by the Jacobins. Condorcet was for a while president of the Legislative Assembly, but he did not have the political power nor did he possess the personal appeal necessary to keep him in the ascendant for very long. A retiring person—"a volcano covered with snow," as d'Alembert characterized him—he could do little more than write anonymous protests against the growing powers and the policies of the Jacobins. In July, 1793, he was denounced by the Convention, and on October 3 he was tried *in absentia* and condemned to death. Condorcet had fled, however, to a patron's home, and there he hid for nine months. It was during this time that he wrote *The Progress of the Human Mind*.

Finally, in April of 1794, he attempted to escape from Paris but was apprehended. On the next morning he was found dead in his cell, perhaps a suicide.

Condorcet's interpretation of the meaning of the new science does not rest so much upon the *conclusions* of that science as upon its *method*. The introduction of a new method is of revolutionary significance for progress because it is, uniquely, a method which improves with practice. The scientists of today are superior to those of yesterday, and those of tomorrow will be superior to those of today, so long as science remains free of external authority and closed systems of thinking. Furthermore, the *method* of science as well as its conclusions is important socially. In science we have the example of a continuous and critical process of learning, and the organization of science is thus a model of a progressive community. The introduction of the method of science into politics, morals, and religion is therefore justifiable and gives promise of human perfectibility. A progressive community is, for Condorcet, set in the image of the scientific method and extends its spirit to the treatment of as many problems and to the minds of as many persons as possible.

It must be remembered that Condorcet's work was only a sketch, and one done without books and under extreme duress. It is, nevertheless, the testament of "Enlightenment" and registers the perception by the Age of Reason that the recognition of science and the spread of its authority and temper of mind was its unique contribution to the future.



THE PROGRESS OF THE HUMAN MIND

NINTH EPOCH: FROM THE TIME OF DESCARTES, TO THE FORMATION OF THE FRENCH REPUBLIC

AND NOW WE arrive at the period when philosophy, the most general and obvious effects of which we have before remarked, obtained an influence on the thinking class of men, and these on the people and their governments, that, ceasing any longer to be gradual, produced a revolution in the entire mass of certain nations, and gave thereby a secure pledge of the general revolution one day to follow that shall embrace the whole human species.

After ages of error, after wandering in all the mazes of vague and defective theories, writers upon politics and the law of nations at length arrived at the knowledge of the true rights of man, which they deduced from this simple principle: that *he is a being endowed with sensation, capable of reasoning upon and understanding his interests, and of acquiring moral ideas.*

They saw that the maintenance of his rights was the only object of political union, and that the perfection of the social art consisted in preserving them with the most entire equality, and in their fullest extent. They perceived that

the means of securing the rights of the individual, consisting of general rules to be laid down in every community, the power of choosing these means, and determining these rules, could vest only in the majority of the community; and that for this reason, as it is impossible for any individual in this choice to follow the dictates of his own understanding, without subjecting that of others, the will of the majority is the only principle which can be followed by all, without infringing upon the common equality.

Each individual may enter into a previous engagement to comply with the will of the majority, which by this engagement becomes unanimity; he can however bind nobody but himself, nor can he bind himself except so far as the majority shall not violate his individual rights, after having recognised them.

Such are at once the rights of the majority over individuals, and the limits of these rights; such is the origin of that unanimity, which renders the engagement of the majority binding upon all; a bond that ceases to operate when, by the change of individuals, this species of unanimity ceases to exist. There are objects, no doubt, upon which the majority would pronounce perhaps oftener in favour of error and mischief, than in favour of truth and happiness; still the majority, and the majority only, can decide what are the objects which cannot properly be referred to its own decision; it can alone determine as to the individuals whose judgement it resolves to prefer to its own, and the method which these individuals are to pursue in the exercise of their judgement; in fine, it has also an indispensable authority of pronouncing whether the decisions of its officers have or have not wounded the rights of all.

From these simple principles men discovered the folly of former notions respecting the validity of contracts between a people and its magistrates, which it was supposed could only be annulled by mutual consent, or by a violation of the conditions by one of the parties; as well as of another opinion, less servile, but equally absurd, that would chain a people for ever to the provisions of a constitution when once established, as if the right of changing it were not the security of every other right, as if human institutions, necessarily defective, and capable of improvement as we become enlightened, were to be condemned to an eternal monotony. Accordingly the governors of nations saw themselves obliged to renounce that false and subtle policy, which, forgetting that all men derive from nature an equality of rights, would sometimes measure the extent of those which it might think proper to grant by the size of territory, the temperature of the climate, the national character, the wealth of the people, the state of commerce and industry; and sometimes cede them in unequal portions among the different classes of society, according to their birth, their fortune, or their profession, thereby creating contrary interests and jarring

powers, in order afterwards to apply correctives, which, but for these institutions, would not be wanted, and which, after all, are inadequate to the end.

It was now no longer practicable to divide mankind into two species, one destined to govern, the other to obey, one to deceive, the other to be dupes: the doctrine was obliged universally to be acknowledged, that all have an equal right to be enlightened respecting their interests, to share in the acquisition of truth, and that no political authorities appointed by the people for the benefit of the people, can be entitled to retain them in ignorance and darkness. . . .

Hitherto we have exhibited the state of philosophy only among men by whom it has in a manner been studied, investigated, and perfected. It remains to mark its influence on the general opinion, and to show, that, while it arrived at the certain and infallible means of discovering and recognising truth, reason at the same time detected the delusions into which it had so often been led by a respect for authority or a misguided imagination, and undermined those prejudices in the mass of individuals which had so long been the scourge, at once corrupting and inflicting calamity upon the human species.

The period at length arrived when men no longer feared openly to avow the right, so long withheld, and even unknown, of subjecting every opinion to the test of reason, or, in other words, of employing, in their search after truth, the only means they possess for its discovery. Every man learned, with a degree of pride and exultation, that nature had not condemned him to see with the eyes and to conform his judgement to the caprice of another. The superstitions of antiquity accordingly disappeared; and the debasement of reason to the shrine of supernatural faith, was as rarely to be found in society as in the circles of metaphysics and philosophy.

A class of men speedily made their appearance in Europe, whose object was less to discover and investigate truth, than to disseminate it; who, pursuing prejudice through all the haunts and asylums in which the clergy, the schools, governments, and privileged corporations had placed and protected it, made it their glory rather to eradicate popular errors, than add to the stores of human knowledge; thus aiding indirectly the progress of mankind, but in a way neither less arduous, nor less beneficial.

In England, Collins and Bolingbroke, and in France, Bayle, Fontenelle, Montesquieu, and the respective disciples of these celebrated men, combated on the side of truth with all the weapons that learning, wit and genius were able to furnish: assuming every shape, employing every tone, from the sublime and pathetic to pleasantry and satire, from the most laboured investigation to an interesting romance or a fugitive essay; accommodating truth to those eyes that were too weak to bear its effulgence; artfully caressing prejudice, the

more easily to strangle it; never aiming a direct blow at errors, never attacking more than one at a time, nor even that one in all its fortresses; sometimes soothing the enemies of reason, by pretending to require in religion but a partial toleration, in politics but a limited freedom; siding with despotism, when their hostilities were directed against the priesthood, and with priests, when their object was to unmask the despot; sapping the principle of both these pests of human happiness, striking at the root of both these baneful trees, while apparently wishing for the reform only of glaring abuses and seemingly confining themselves to lopping off the exuberant branches; sometimes representing to the partisans of liberty, that superstition, which covers despotism as with a coat of mail, is the first victim which ought to be sacrificed, the first chain that ought to be broken; and sometimes denouncing it to tyrants as the true enemy of their power, and alarming them with recitals of its hypocritical conspiracies and its sanguinary vengeance. These writers, meanwhile, were uniform in their vindication of freedom of thinking and freedom of writing, as privileges upon which depended the salvation of mankind. They declaimed, without cessation or weariness, against the crimes both of fanatics and tyrants, exposing every feature of severity, of cruelty, of oppression, whether in religion, in administration, in manners, or in laws; commanding kings, soldiers, magistrates and priests, in the name of truth and of nature, to respect the blood of mankind; calling upon them, with energy, to answer for the lives still profusely sacrificed in the field of battle or by the infliction of punishments, or else to correct this inhuman policy, this murderous insensibility; and lastly, in every place, and upon every occasion, rallying the friends of mankind with the cry of *reason, toleration, and humanity!* . . .

While we thus take a general view of the human species, we may prove that the discovery of true methods in all the sciences; the extent of the theories they include; their application to all the objects of nature, and all the wants of man; the lines of communication established between them; the great number of those who cultivate them; and, lastly, the multiplication of printing presses, are sufficient to assure us, that none of them will hereafter descend below the point to which it has been carried. We may shew that the principles of philosophy, the maxims of liberty, the knowledge of the true rights of man, and his real interests, are spread over too many nations, and in each of those nations direct the opinions of too great a number of enlightened men, for them ever to fall again into oblivion.

What fear can be entertained when we find that the two languages the most universally extended, are, likewise, the languages of two peoples who possess the most extended liberty; who have best known its principles. So that no confederacy of tyrants, nor any possible combination of policy, can prevent

the rights of reason, as well as those of liberty, from being openly defended in both languages.

But if it be true, as every prospect assures us, that the human race shall not again relapse into its ancient barbarity; if every thing ought to assure us against that pusillanimous and corrupt system which condemns man to eternal oscillations between truth and falsehood, liberty and servitude, we must, at the same time, perceive that the light of information is spread over a small part only of our globe; and the number of those who possess real instruction, seems to vanish in the comparison with the mass of men consigned over to ignorance and prejudice. We behold vast countries groaning under slavery, and presenting nations, in one place, degraded by the vices of civilization, so corrupt as to impede the progress of man; and in others, still vegetating in the infancy of its early age. We perceive that the exertions of these last ages have done much for the progress of the human mind, but little for the perfection of the human species; much for the glory of man, somewhat for his liberty, but scarcely any thing yet for his happiness. In a few directions, our eyes are struck with a dazzling light; but thick darkness still covers an immense horizon. The mind of the philosopher reposes with satisfaction upon a small number of objects, but the spectacle of the stupidity, the slavery, the extravagance, and the barbarity of man, afflicts him still more strongly. The friend of humanity cannot receive unmixed pleasure but by abandoning himself to the endearing hope of the future. . . .

TENTH EPOCH: FUTURE PROGRESS OF MANKIND

If man can predict, almost with certainty, those appearances of which he understands the laws; if, even when the laws are unknown to him, experience of the past enables him to foresee, with considerable probability, future appearances; why should we suppose it a chimerical undertaking to delineate with some degree of truth, the picture of the future destiny of mankind from the results of its history? The only foundation of faith in the natural sciences is the principle, that the general laws, known or unknown, which regulate the phenomena of the universe, are regular and constant; and why should this principle, applicable to the other operations of nature, be less true when applied to the development of the intellectual and moral faculties of man? In short, as opinions formed from experience, relative to the same class of objects, are the only rule by which men of soundest understanding are governed in their conduct, why should the philosopher be proscribed from supporting his conjectures upon a similar basis, provided he attribute to them no greater certainty than the number, the consistency, and the accuracy of actual observations shall authorise?

Our hopes, as to the future condition of the human species, may be reduced to three points: the destruction of inequality between different nations; the progress of equality in one and the same nation; and lastly, the real improvement of man.

Will not every nation one day arrive at the state of civilization attained by those people who are most enlightened, most free, most exempt from prejudices, as the French, for instance, and the Anglo-Americans? Will not the slavery of countries subjected to kings, the barbarity of African tribes, and the ignorance of savages gradually vanish? Is there upon the face of the globe a single spot the inhabitants of which are condemned by nature never to enjoy liberty, never to exercise their reason?

Does the difference of knowledge, of means, and of wealth, observable hitherto in all civilized nations, between the classes into which the people constituting those nations are divided; does that inequality, which the earliest progress of society has augmented, or, to speak more properly, produced, belong to civilization itself, or to the imperfections of the social order? Must it not continually weaken, in order to give place to that actual equality, the chief end of the social art, which, diminishing even the effects of the natural difference of the faculties, leaves no other inequality subsisting but what is useful to the interest of all, because it will favour civilization, instruction, and industry, without drawing after it either dependence, humiliation or poverty? In a word, will not men be continually verging towards that state, in which all will possess the requisite knowledge for conducting themselves in the common affairs of the life by their own reason, and of maintaining that reason uncontaminated by prejudices; in which they will understand their rights, and exercise them according to their opinion and their conscience; in which all will be able, by the development of their faculties, to procure the certain means of providing for their wants; lastly, in which folly and wretchedness will be accidents, happening only now and then, and not the habitual lot of a considerable portion of society?

In fine, may it not be expected that the human race will be meliorated by new discoveries in the sciences and the arts, and, as an unavoidable consequence, in the means of individual and general prosperity; by farther progress in the principles of conduct, and in moral practice; and lastly, by the real improvement of our faculties, moral, intellectual and physical, which may be the result either of the improvement of the instruments which increase the power and direct the exercise of those faculties, or of the improvement of our natural organization itself?

In examining the three questions we have enumerated, we shall find the strongest reasons to believe, from past experience, from observation of the

progress which the sciences and civilization have hitherto made, and from the analysis of the march of the human understanding, and the development of its faculties, that nature has fixed no limits to our hopes. . . .

The different causes of equality we have enumerated do not act distinctly and apart; they unite, they incorporate, they support one another; and from their combined influence results an action proportionably forcible, sure, and constant. If instruction become more equal, industry thence acquires greater equality, and from industry the effect is communicated to fortunes; and equality of fortunes necessarily contributes to that of instruction, while equality of nations, like that established between individuals, have also a mutual operation upon each other.

In fine, instruction, properly directed, corrects the natural inequality of the faculties, instead of strengthening it, in like manner as good laws remedy the natural inequality of the means of subsistence; or as, in societies whose institutions shall have effected this equality, liberty, though subjected to a regular government, will be more extensive, more complete, than in the independence of savage life. Then has the social art accomplished its end, that of securing and extending for all the enjoyment of the common rights which impartial nature has bequeathed to all.

The advantages that must result from the state of improvement, of which I have proved we may almost entertain the certain hope, can have no limit but the absolute perfection of the human species, since, in proportion as different kinds of equality shall be established as to the various means of providing for our wants, as to a more universal instruction, and a more entire liberty, the more real will be this equality, and the nearer will it approach towards embracing everything truly important to the happiness of mankind.

It is then by examining the progression and the laws of this perfection, that we can alone arrive at the knowledge of the extent or boundary of our hopes.

It has never yet been supposed, that all the facts of nature, and all the means of acquiring precision in the computation and analysis of those facts, and all the connections of objects with each other, and all the possible combinations of ideas, can be exhausted by the human mind. The mere relations of magnitude, the combinations, quantity and extent of this idea alone, form already a system too immense for the mind of man ever to grasp the whole of it; a portion, more vast than that which he may have penetrated, will always remain unknown to him. It has, however, been imagined, that, as man can know a part only of the objects which the nature of his intelligence permits him to investigate, he must at length reach the point at which, the number and complication of those he already knows having absorbed all his powers, farther progress will become absolutely impossible.

But, in proportion as facts are multiplied, man learns to class them, and reduce them to more general facts, at the same time that the instruments and methods for observing them, and registering them with exactness, acquire a new precision: in proportion as relations more multifarious between a greater number of objects are discovered, man continues to reduce them to relations of a wider denomination, to express them with greater simplicity, and to present them in a way which may enable a given strength of mind, with a given quantity of attention, to take in a greater number than before: in proportion as the understanding embraces more complicated combinations, a simple mode of announcing these combinations renders them more easy to be treated. Hence it follows that truths, the discovery of which was accompanied with the most laborious efforts, and which at first could not be comprehended but by men of the severest attention, will after a time be unfolded and proved in methods that are not above the efforts of an ordinary capacity. And thus should the methods that led to new combinations be exhausted, should their applications to questions, still unresolved, demand exertions greater than the time or the powers of the learned can bestow, more general methods, means more simple would soon come to their aid, and open a farther career to genius. The energy, the real extent of the human intellect may remain the same; but the instruments which it can employ will be multiplied and improved; but the language which fixes and determines the idea will acquire more precision and compass; and it will not be here, as in the science of mechanics, where, to increase the force, we must diminish the velocity; on the contrary the methods by which genius will arrive at the discovery of new truths, augment at once both the force and the rapidity of its operations.

In a word, these changes being themselves the necessary consequences of additional progress in the knowledge of truths of detail, and the cause which produces a demand for new resources, producing at the same time the means of supplying them, it follows that the actual mass of truths appertaining to the sciences of observation, calculation and experiment, may be perpetually augmented, and that without supposing the faculties of man to possess a force and activity, and a scope of action greater than before.

By applying these general reflections to the different sciences, we might exhibit, respecting each, examples of this progressive improvement, which would remove all possibility of doubts as to the certainty of the further improvement that may be expected. . . .

If we pass to the progress of the arts, those arts particularly the theory of which depends on these very same sciences, we shall find that it can have no inferior limits; that their processes are susceptible of the same improvement, the same simplifications, as the scientific methods; that instruments, machines,

looms, will add every day to the capabilities and skill of man—will augment at once the excellence and precision of his works, while they will diminish the time and labour necessary for executing them; and that then will disappear the obstacles that still oppose themselves to the progress in question, accidents which will be foreseen and prevented; and, lastly, the unhealthiness at present attendant upon certain operations, habits and climates. . . .

Thus, not only the same species of ground will nourish a greater number of individuals, but each individual, with a less quantity of labour, will labour more successfully, and be surrounded with greater conveniences.

It may, however, be demanded, whether, amidst this improvement in industry and happiness, where the wants and faculties of men will continually become better proportioned, each successive generation possess more various stores, and of consequence in each generation the number of individuals be greatly increased; it may, I say, be demanded, whether these principles of improvement and increase may not, by their continual operation, ultimately lead to degeneracy and destruction? Whether the number of inhabitants in the universe at length exceeding the means of existence, there will not result a continual decay of happiness and population, and a progress towards barbarism, or at least a sort of oscillation between good and evil? Will not this oscillation, in societies arrived at this epoch, be a perennial source of periodical calamity and distress? In a word, do not these considerations point out the limit at which all farther improvement will become impossible, and consequently the perfectibility of man arrive at a period which in the immensity of ages it may attain, but which it can never pass?

There is, doubtless, no individual that does not perceive how very remote from us will be this period: but must it one day arrive? It is equally impossible to pronounce on either side respecting an event, which can only be realized at an epoch when the human species will necessarily have acquired a degree of knowledge, of which our short-sighted understandings can scarcely form an idea. And who shall presume to foretell to what perfection the art of converting the elements of life into substances fitted for our use, may, in a progression of ages, be brought?

But supposing the affirmative, supposing it actually to take place, there would result from it nothing alarming, either to the happiness of the human race, or its indefinite perfectibility; if we consider, that prior to this period the progress of reason will have walked hand in hand with that of the sciences; that the absurd prejudices of superstition will have ceased to infuse into morality a harshness that corrupts and degrades, instead of purifying and exalting it; that men will then know, that the duties they may be under relative to propagation will consist not in the question of giving *existence* to a greater

number of beings, but *happiness*; will have for their object, the general welfare of the human species; of the society in which they live; of the family to which they are attached; and not the puerile idea of encumbering the earth with useless and wretched mortals. Accordingly, there might then be a limit to the possible mass of provision, and of consequence to the greatest possible population, without that premature destruction, so contrary to nature and to social prosperity, of a portion of the beings who may have received life, being the result of those limits.

As the discovery, or rather the accurate solution of the first principles of metaphysics, morals, and politics, is still recent; and as it has been preceded by the knowledge of a considerable number of truths of detail, the prejudice, that they have thereby arrived at their highest point of improvement, becomes easily established in the mind; and men suppose that nothing remains to be done, because there are no longer any gross errors to destroy, or fundamental truths to establish.

But it requires little penetration to perceive how imperfect is still the development of the intellectual and moral faculties of man; how much farther the sphere of his duties, including therein the influence of his actions upon the welfare of his fellow-creatures and of the society to which he belongs, may be extended by a more fixed, a more profound and more accurate observation of that influence; how many questions still remain to be solved, how many social ties to be examined, before we can ascertain the precise catalogue of the individual rights of man, as well as of the rights which the social state confers upon the whole community with regard to each member. Have we even ascertained with any precision the limits of these rights, whether as they exist between different societies, or in any single society, over its members, in cases of division and hostility; or, in fine, the rights of individuals, their spontaneous unions in the case of a primitive formation, or their separations when separation becomes necessary?

If we pass on to the theory which ought to direct the application of these principles, and serve as the basis of the social art, do we not see the necessity of acquiring an exactness of which first truths, from their general nature, are not susceptible? Are we so far advanced as to consider justice, or a proved and acknowledged utility, and not vague, uncertain, and arbitrary views of pretended political advantages, as the foundation of all institutions of law? Among the variety, almost infinite, of possible systems, in which the general principles of equality and natural rights should be respected, have we yet fixed upon the precise rules of ascertaining with certainty those which best secure the preservation of these rights, which afford the freest scope for their

exercise and enjoyment, which promote most effectually the peace and welfare of individuals, and the strength, repose, and prosperity of nations?

The application of the arithmetic of combinations and probabilities to these sciences, promises an improvement by so much the more considerable, as it is the only means of giving to their results an almost mathematical precision, and of appreciating their degree of certainty or probability. The facts upon which these results are built may, indeed, without calculation, and by a glance only, lead to some general truths; teach us whether the effects produced by such a cause have been favourable or the reverse: but if these facts have neither been counted nor estimated; if these effects have not been the object of an exact admeasurement, we cannot judge of the quantity of good or evil they contain: if the good or evil nearly balance each other, nay, if the difference be not considerable, we cannot pronounce with certainty to which side the balance inclines. . . .

There is another species of progress, appertaining to the sciences in question, equally important; I mean, the improvement of their language, at present so vague and so obscure. To this improvement must they owe the advantage of becoming popular, even in their first elements. Genius can triumph over these inaccuracies, as over other obstacles; it can recognize the features of truth, in spite of the mask that conceals or disfigures them. But how is the man who can devote but a few leisure moments to instruction to do this? how is he to acquire and retain the most simple truths, if they be disguised by an inaccurate language? The fewer ideas he is able to collect and combine, the more requisite it is that they be just and precise. . . .

What is the object of the improvement of laws and public institutions, consequent upon the progress of these sciences, but to reconcile, to approximate, to blend and unite into one mass the common interest of each individual with the common interest of all? What is the end of the social art, but to destroy the opposition between these two apparently jarring sentiments? And will not the constitution and laws of that country best accord with the intentions of reason and nature where the practice of virtue shall be least difficult, and the temptations to deviate from her paths least numerous and least powerful?

What vicious habit can be mentioned, what practice contrary to good faith, what crime even, the origin and first cause of which may not be traced in the legislation, institutions, and prejudices of the country in which we observe such habit, such practice, or such crime to be committed?

In short, does not the well-being, the prosperity, resulting from the progress that will be made by the useful arts, in consequence of their being founded upon a sound theory, resulting, also, from an improved legislation, built upon

the truths of the political sciences, naturally dispose men to humanity, to benevolence, and to justice? Do not all the observations, in fine, which we proposed to develop in this work prove, that the moral goodness of man, the necessary consequence of his organization, is, like all his other faculties, susceptible of an indefinite improvement? and that nature has connected, by a chain which cannot be broken, truth, happiness, and virtue?

Among those causes of human improvement that are of most importance to the general welfare, must be included, the total annihilation of the prejudices which have established between the sexes an inequality of rights, fatal even to the party which it favours. In vain might we search for motives by which to justify this principle, in difference of physical organization, of intellect, or of moral sensibility. It had at first no other origin but abuse of strength, and all the attempts which have since been made to support it are idle sophisms. . . .

The people being more enlightened, and having resumed the right of disposing for themselves of their blood and their treasure, will learn by degrees to regard war as the most dreadful of all calamities, the most terrible of all crimes. . . .

All the causes which contribute to the improvement of the human species, all the means we have enumerated that insure its progress, must, from their very nature, exercise an influence always active, and acquire an extent for ever increasing. The proofs of this have been exhibited, and from their development in the work itself they will derive additional force: accordingly we may already conclude, that the perfectibility of man is indefinite. Meanwhile we have hitherto considered him as possessing only the same natural faculties, as endowed with the same organization. How much greater would be the certainty, how much wider the compass of our hopes, could we prove that these natural faculties themselves, that this very organization, are also susceptible of melioration? And this is the last question we shall examine.

The organic perfectibility or deterioration of the classes of the vegetable, or species of the animal kingdom, may be regarded as one of the general laws of nature.

This law extends itself to the human race; and it cannot be doubted that the progress of the sanative art, that the use of more wholesome food and more comfortable habitations, that a mode of life which shall develop the physical powers by exercise, without at the same time impairing them by excess; in fine, that the destruction of the two most active causes of deterioration, penury and wretchedness on the one hand, and enormous wealth on the other, must necessarily tend to prolong the common duration of man's existence, and secure him a more constant health and a more robust constitution. It is manifest that the improvement of the practice of medicine, become more efficacious

in consequence of the progress of reason and the social order, must in the end put a period to transmissible or contagious disorders, as well as to those general maladies resulting from climate, ailments, and the nature of certain occupations. Nor would it be difficult to prove that this hope might be extended to almost every other malady, of which it is probable we shall hereafter discover the most remote causes. Would it even be absurd to suppose this quality of melioration in the human species as susceptible of an indefinite advancement; to suppose that a period must one day arrive when death will be nothing more than the effect either of extraordinary accidents, or of the flow and gradual decay of the vital powers; and that the duration of the middle space, of the interval between the birth of man and this decay, will itself have no assignable limit? Certainly man will not become immortal; but may not the distance between the moment in which he draws his first breath, and the common term when, in the course of nature, without malady, without accident, he finds it impossible any longer to exist, be necessarily protracted? . . .

But may not our physical faculties, the force, the sagacity, the acuteness of the senses, be numbered among the qualities, the individual improvement of which it will be practicable to transmit? An attention to the different breeds of domestic animals must lead us to adopt the affirmative of this question, and a direct observation of the human species itself will be found to strengthen the opinion.

Lastly, may we not include in the same circle the intellectual and moral faculties? May not our parents, who transmit to us the advantages or defects of their conformation, and from whom we receive our features and shape, as well as our propensities to certain physical affections, transmit to us also that part of organization upon which intellect, strength of understanding, energy of soul or moral sensibility depend? Is it not probable that education, by improving these qualities, will at the same time have an influence upon, will modify and improve this organization itself? Analogy, an investigation of the human faculties, and even some facts appear to authorise these conjectures, and thereby to enlarge the boundary of our hopes.

Such are the questions with which we shall terminate the last division of our work. And how admirably calculated is this view of the human race, emancipated from its chains, released alike from the dominion of chance, as well as from that of the enemies of its progress, and advancing with a firm and indeviate step in the paths of truth, to console the philosopher lamenting the errors, the flagrant acts of injustice, the crimes with which the earth is still polluted? It is the contemplation of this prospect that rewards him for all his efforts to assist the progress of reason and the establishment of liberty. He dares to regard these efforts as a part of the eternal chain of the destiny of

mankind; and in this persuasion he finds the true delight of virtue, the pleasure of having performed a durable service, which no vicissitude will ever destroy in a fatal operation calculated to restore the reign of prejudice and slavery. This sentiment is the asylum into which he retires, and to which the memory of his persecutors cannot follow him: he unites himself in imagination with man restored to his rights, delivered from oppression, and proceeding with rapid strides in the path of happiness: he forgets his own misfortunes while his thoughts are thus employed; he lives no longer to adversity, calumny and malice, but becomes the associate of these wiser and more fortunate beings whose enviable condition he so earnestly contributed to produce.

IMMANUEL KANT

IT IS A MISTAKE to think of the Enlightenment as a phase of modern thought in which, by the proclamation of Reason as the arch-opponent of superstition and vested authority, smug intellectual complacency and universal agreement became the order of the day. Materialism could war with deism, or utilitarianism with the idea of natural law. But above all it is important to realize that for the outstanding philosophic thinkers of the age—men such as Hume and Kant—the appeal to reason was felt to be inseparable from an analysis of the nature of reason and the meaning of its supremacy. Hume and Kant, each in his own way and despite fundamental differences in approach, were severe critics of rationalist dogmatism and strove to define the role of experience in the rational outlook. For them critically, as for others more or less implicitly, reason came to be construed broadly, as rationality or reasonableness, and not narrowly, as mere reasoning independent of experience.

Immanuel Kant (1724–1804), who was born, studied, taught, and died in Königsberg, East Prussia, has perhaps proved to be the most influential philosopher of modern times. His thought, which he called the “Critical Philosophy,” is highly technical and defies summary statement. Examining the nature of knowledge and the capacities of the mind in unprecedented detail, he constructed an imposing system, the keystone of which is the famous *Critique of Pure Reason* (1781). Showing the values inherent in opposite philosophic traditions, he yet ruthlessly attacked what he considered to be their basic inadequacies. For Newtonian science, morality, and religion, he attempted to build new and critical philosophic foundations. Central to his thinking is a distinction between the speculative (or scientific) reason and the practical (or moral) reason. The former, he held, was not the alpha and omega of all human experience. Man’s moral and religious nature allows him to move in a sphere and to assume a reality different from the limited, albeit theoretically necessary, one described by science. Here Kant seems far from what are usually regarded as the main currents of the Enlightenment. Yet from the larger standpoint he is a true son of the Enlightenment, if we are able to recognize as such one who is equally a debtor, creditor, and critic of his age. In *What Is Enlightenment?* (1784)—the first of the following selections, here translated from the German—Kant himself writes of the Enlightenment as mankind’s coming of age. In so doing he anticipates his later ethical position wherein man conceived of as an autonomous moral agent, capable of obeying moral injunctions laid down by himself, is distinguished from man conceived of as continuous with the rest of nature and subject to causal laws externally imposed. But the essay is especially interesting in its programmatic aspect, indicating as it does the lines which Kant and his age—which he elsewhere calls “the age of criticism”—were to pursue.

Perpetual Peace (1795), reprinted here exclusive of its Supplements, is one of Kant’s shorter and less technical works. It reflects one of the most characteristic of Enlightenment attitudes—the cosmopolitan ideal of world peace and world citizen-

ship; and at the same time it is a concrete application of Kant's ethical theory. Visions, plans, and devices of world peace, with varying motives, date far back. The Hebrew prophet looked forward to the day when "nation shall not lift up sword against nation, neither shall they learn war any more"; the Greek Stoics taught equality, brotherhood, and a world state; the empires of Alexander and Rome imposed their peace on many peoples; the New Testament preached peace and good will; and even the aggressive medieval church aspired to a universal empire recognizing no tie but Christianity. In the modern period, humanists such as More and Erasmus attacked the appeal to war; jurists such as Gentilis and Grotius defined international law and a law of war; and men of politics such as Henry IV of France, the duc de Sully, William Penn, and Abbé de Saint-Pierre variously proposed plans for a federation of powers, an international tribunal for arbitration, and combined military action to preserve European security.

Kant's appeal to international law as a basis of peace must be understood in Kantian terms rather than in terms of the way the concept had been emphasized by Grotius in his *On the Law of War and Peace* (1625). The idea of international law had been expressed in the Roman terms *jus gentium*¹ and *jus feciale*.² Grotius, thinking in terms of sovereign nation-states, regarded international law as natural law applied to nations, and aimed at an elaborate systematization. Taking war for granted, in the inevitable stress of his age, he maintained that international law held in war as well as in peace. For Kant the appeal to reason implied in international law goes further. Peace is not merely one of the conditions to which reason or law may apply. It is a duty which reason demands, and "there is no intelligible meaning to the idea of the law of nations as giving a right to make war." International law cannot be considered as a means of preserving inviolate the sovereignty of each nation, a sovereignty responsible to no law; rather the sovereignty of a nation ought to be subordinated to it. For such rational subordination to take place there must be a concrete controlling factor: the cosmopolitan world-republic, or, second-best, a federation of nations. States must abandon their "savage lawless freedom" and achieve the freedom of voluntary submission to law or reason.

Developing an emphasis of Benedict Spinoza (1632-77), Kant held that human freedom consists not in self-indulgence or irresponsible license but in obeying the law of man's essential nature—that is, reason. Man when most rational is most truly himself, and hence freest. The duty of men and the duty of states were for Kant part of one and the same moral law. The reader of the following piece will do well to note how clearly his ideal of peace is bound up with practical insights. The last paragraph, for instance, indicates how he saw the consequences of war for nations already bound together by commercial ties in a shrinking world. And vital for any age is his view that republican or representative government in each state is an indispensable condition for peace.

The translation of *Perpetual Peace* from the German is by Mary Campbell Smith (London, George Allen and Unwin, 1903).



¹ *Law of nations.*

² *Fetial law*, which included rules of war and matters affecting intercourse between different peoples.

WHAT IS ENLIGHTENMENT?

ENLIGHTENMENT is man's emergence from his self-imposed nonage. Nonage is the inability to use one's own understanding without another's guidance. This nonage is self-imposed if its cause lies not in lack of understanding but in indecision and lack of courage to use one's own mind without another's guidance. *Dare to know! (Sapere aude.)* "Have the courage to use your own understanding," is therefore the motto of the enlightenment.

Laziness and cowardice are the reasons why such a large part of mankind gladly remain minors all their lives, long after nature has freed them from external guidance. They are the reasons why it is so easy for others to set themselves up as guardians. It is so comfortable to be a minor. If I have a book that thinks for me, a pastor who acts as my conscience, a physician who prescribes my diet, and so on—then I have no need to exert myself. I have no need to think, if only I can pay; others will take care of that disagreeable business for me. Those guardians who have kindly taken supervision upon themselves see to it that the overwhelming majority of mankind—among them the entire fair sex—should consider the step to maturity, not only as hard, but as extremely dangerous. First, these guardians make their domestic cattle stupid and carefully prevent the docile creatures from taking a single step without the leading-strings to which they have fastened them. Then they show them the danger that would threaten them if they should try to walk by themselves. Now this danger is really not very great; after stumbling a few times they would, at last, learn to walk. However, examples of such failures intimidate and generally discourage all further attempts.

Thus it is very difficult for the individual to work himself out of the nonage which has become almost second nature to him. He has even grown to like it, and is at first really incapable of using his own understanding because he has never been permitted to try it. Dogmas and formulas, these mechanical tools designed for reasonable use—or rather abuse—of his natural gifts, are the fetters of an everlasting nonage. The man who casts them off would make an uncertain leap over the narrowest ditch, because he is not used to such free movement. That is why there are only a few men who walk firmly, and who have emerged from nonage by cultivating their own minds.

It is more nearly possible, however, for the public to enlighten itself; indeed, if it is only given freedom, enlightenment is almost inevitable. There will always be a few independent thinkers, even among the self-appointed guardians of the multitude. Once such men have thrown off the yoke of nonage,

they will spread about them the spirit of a reasonable appreciation of man's value and of his duty to think for himself. It is especially to be noted that the public which was earlier brought under the yoke by these men afterwards forces these very guardians to remain in submission, if it is so incited by some of its guardians who are themselves incapable of any enlightenment. That shows how pernicious it is to implant prejudices: they will eventually revenge themselves upon their authors or their authors' descendants. Therefore, a public can achieve enlightenment only slowly. A revolution may bring about the end of a personal despotism or of avaricious and tyrannical oppression, but never a true reform of modes of thought. New prejudices will serve, in place of the old, as guide lines for the unthinking multitude.

This enlightenment requires nothing but *freedom*—and the most innocent of all that may be called “freedom”: freedom to make public use of one's reason in all matters. Now I hear the cry from all sides: “Do not argue!” The officer says: “Do not argue—drill!” The tax collector: “Do not argue—pay!” The pastor: “Do not argue—believe!” Only one ruler in the world says: “Argue as much as you please, and about what you please, but obey!” We find restrictions on freedom everywhere. But which restriction is harmful to enlightenment? Which restriction is innocent, and which advances enlightenment? I reply: the public use of one's reason must be free at all times, and this alone can bring enlightenment to mankind.

On the other hand, the private use of reason may frequently be narrowly restricted without especially hindering the progress of enlightenment. By “public use of one's reason” I mean that use which a man, as *scholar*, makes of it before the reading public. I call “private use” that use which a man makes of his reason in a civic post that has been entrusted to him. In some affairs affecting the interest of the community a certain [governmental] mechanism is necessary in which some members of the community remain passive. This creates an artificial unanimity which will serve the fulfillment of public objectives, or at least keep these objectives from being destroyed. Here arguing is not permitted: one must obey. Insofar as a part of this machine considers himself at the same time a member of a universal community—a world society of citizens—(let us say that he thinks of himself as a scholar rationally addressing his public through his writings) he may indeed argue, and the affairs with which he is associated in part as a passive member will not suffer. Thus it would be very unfortunate if an officer on duty and under orders from his superiors should want to criticize the appropriateness or utility of his orders. He must obey. But as a scholar he could not rightfully be prevented from taking notice of the mistakes in the military service and from submitting his views to his public for its judgment. The citizen cannot refuse

to pay the taxes levied upon him; indeed, impertinent censure of such taxes could be punished as a scandal that might cause general disobedience. Nevertheless, this man does not violate the duties of a citizen if, as a scholar, he publicly expresses his objections to the impropriety or possible injustice of such levies. A pastor, too, is bound to preach to his congregation in accord with the doctrines of the church which he serves, for he was ordained on that condition. But as a scholar he has full freedom, indeed the obligation, to communicate to his public all his carefully examined and constructive thoughts concerning errors in that doctrine and his proposals concerning improvement of religious dogma and church institutions. This is nothing that could burden his conscience. For what he teaches in pursuance of his office as representative of the church, he represents as something which he is not free to teach as he sees it. He speaks as one who is employed to speak in the name and under the orders of another. He will say: "Our church teaches this or that; these are the proofs which it employs." Thus he will benefit his congregation as much as possible by presenting doctrines to which he may not subscribe with full conviction. He can commit himself to teach them because it is not completely impossible that they may contain hidden truth. In any event, he has found nothing in the doctrines that contradicts the heart of religion. For if he believed that such contradictions existed he would not be able to administer his office with a clear conscience. He would have to resign it. Therefore the use which a scholar makes of his reason before the congregation that employs him is only a private use, for, no matter how sizable, this is only a domestic audience. In view of this he, as preacher, is not free and ought not to be free, since he is carrying out the orders of others. On the other hand, as the scholar who speaks to his own public (the world) through his writings, the minister in the public use of his reason enjoys unlimited freedom to use his own reason and to speak for himself. That the spiritual guardians of the people should themselves be treated as minors is an absurdity which would result in perpetuating absurdities.

But should a society of ministers, say a Church Council, . . . have the right to commit itself by oath to a certain unalterable doctrine, in order to secure perpetual guardianship over all its members and through them over the people? I say that this is quite impossible. Such a contract, concluded to keep all further enlightenment from humanity, is simply null and void even if it should be confirmed by the sovereign power, by parliaments, and the most solemn treaties. An epoch cannot conclude a pact that will commit succeeding ages, prevent them from increasing their significant insights, purging themselves of errors, and generally progressing in enlightenment. That would be a crime against human nature whose proper destiny lies precisely in such

progress. Therefore, succeeding ages are fully entitled to repudiate such decisions as unauthorized and outrageous. The touchstone of all those decisions that may be made into law for a people lies in this question: Could a people impose such a law upon itself? Now it might be possible to introduce a certain order for a definite short period of time in expectation of a better order. But, while this provisional order continues, each citizen (above all, each pastor acting as a scholar) should be left free to publish his criticisms of the faults of existing institutions. This should continue until public understanding of these matters has gone so far that, by uniting the voices of many (although not necessarily all) scholars, reform proposals could be brought before the sovereign to protect those congregations which had decided according to their best lights upon an altered religious order, without, however, hindering those who want to remain true to the old institutions. But to agree to a perpetual religious constitution which is not to be publicly questioned by anyone would be, as it were, to annihilate a period of time in the progress of man's improvement. This must be absolutely forbidden.

A man may postpone his own enlightenment, but only for a limited period of time. And to give up enlightenment altogether, either for oneself or one's descendants, is to violate and to trample upon the sacred rights of man. What a people may not decide for itself may even less be decided for it by a monarch, for his reputation as a ruler consists precisely in the way in which he unites the will of the whole people within his own. If he only sees to it that all true or supposed [religious] improvement remains in step with the civic order, he can for the rest leave his subjects alone to do what they find necessary for the salvation of their souls. Salvation is none of his business; it *is* his business to prevent one man from forcibly keeping another from determining and promoting his salvation to the best of his ability. Indeed, it would be prejudicial to his majesty if he meddled in these matters and supervised the writings in which his subjects seek to bring their [religious] views into the open, even when he does this from his own highest insight, because then he exposes himself to the reproach: *Caesar non est supra grammaticos*.⁸ It is worse when he debases his sovereign power so far as to support the spiritual despotism of a few tyrants in his state over the rest of his subjects.

When we ask, Are we now living in an enlightened age? the answer is, No, but we live in an age of enlightenment. As matters now stand it is still far from true that men are already capable of using their own reason in religious matters confidently and correctly without external guidance. Still, we have some obvious indications that the field of working toward the goal [of religious truth] is now being opened. What is more, the hindrances against

⁸ [*Caesar is not above grammarians.*]

general enlightenment or the emergence from self-imposed nonage are gradually diminishing. In this respect this is the age of the enlightenment and the century of Frederick [the Great].

A prince ought not to deem it beneath his dignity to state that he considers it his duty not to dictate anything to his subjects in religious matters, but to leave them complete freedom. If he repudiates the arrogant word "tolerant," he is himself enlightened; he deserves to be praised by a grateful world and posterity as that man who was the first to liberate mankind from dependence, at least on the government, and let everybody use his own reason in matters of conscience. Under his reign, honorable pastors, acting as scholars and regardless of the duties of their office, can freely and openly publish their ideas to the world for inspection, although they deviate here and there from accepted doctrine. This is even more true of every other person not restrained by any oath of office. This spirit of freedom is spreading beyond the boundaries [of Prussia] even where it has to struggle against the external hindrances established by a government that fails to grasp its true interest. [Frederick's Prussia] is a shining example that freedom need not cause the least worry concerning public order or the unity of the community. When one does not deliberately attempt to keep men in barbarism, they will gradually work out of that condition by themselves.

I have emphasized the main point of the enlightenment—man's emergence from his self-imposed nonage—primarily in religious matters, because our rulers have no interest in playing the guardian to their subjects in the arts and sciences. Above all, nonage in religion is not only the most harmful but the most dishonorable. But the disposition of a sovereign ruler who favors freedom in the arts and sciences goes even further: he knows that there is no danger in permitting his subjects to make public use of their reason and to publish their ideas concerning a better constitution, as well as candid criticism of existing basic laws. We already have a striking example [of such freedom], and no monarch can match the one whom we venerate.

But only the man who is himself enlightened, who is not afraid of shadows, and who commands at the same time a well disciplined and numerous army as guarantor of public peace—only he can say what [the sovereign of] a free state cannot dare to say: "Argue as much as you like, and about what you like, but obey!" Thus we observe here as elsewhere in human affairs, in which almost everything is paradoxical, a surprising and unexpected course of events: a large degree of civic freedom appears to be of advantage to the intellectual freedom of the people, yet at the same time it establishes insurmountable barriers. A lesser degree of civic freedom, however, creates room to let that free spirit expand to the limits of its capacity. Nature, then, has carefully culti-

vated the seed within the hard core—namely the urge for and the vocation of free thought. And this free thought gradually reacts back on the modes of thought of the people, and men become more and more capable of acting in freedom. At last free thought acts even on the fundamentals of government and the state finds it agreeable to treat man, who is now more than a machine, in accord with his dignity.

PERPETUAL PEACE

WE NEED NOT try to decide whether this satirical inscription [*i.e.*, "Perpetual Peace"] (once found on a Dutch innkeeper's signboard above the picture of a churchyard) is aimed at mankind in general, or at the rulers of states in particular, unwearying in their love of war, or perhaps only at the philosophers who cherish the sweet dream of perpetual peace. The author of the present sketch would make one stipulation, however. The practical politician stands upon a definite footing with the theorist: with great self-complacency he looks down upon him as a mere pedant whose empty ideas can threaten no danger to the state (starting as it does from principles derived from experience), and who may always be permitted to knock down his eleven skittles at once without a worldly-wise statesman needing to disturb himself. Hence, in the event of a quarrel arising between the two, the practical statesman must always act consistently, and not scent danger to the state behind opinions ventured by the theoretical politician at random and publicly expressed. With which saving clause (*clausula salvatoria*) the author will herewith consider himself duly and expressly protected against all malicious misinterpretation.

First Section

CONTAINING THE PRELIMINARY ARTICLES OF PERPETUAL PEACE BETWEEN STATES

1. *No treaty of peace shall be regarded as valid, if made with the secret reservation of material for a future war.*

For then it would be a mere truce, a mere suspension of hostilities, not peace. A peace signifies the end of all hostilities and to attach to it the epithet "eternal" is not only a verbal pleonasm, but matter of suspicion. The causes of a future war existing, although perhaps not yet known to the high contracting parties themselves, are entirely annihilated by the conclusion of peace, however acutely they may be ferreted out of documents in the public archives. There may be a mental reservation of old claims to be thought out at a future time,

which are, none of them, mentioned at this stage, because both parties are too much exhausted to continue the war, while the evil intention remains of using the first favourable opportunity for further hostilities. Diplomacy of this kind only Jesuitical casuistry can justify: it is beneath the dignity of a ruler, just as acquiescence in such processes of reasoning is beneath the dignity of his minister, if one judges the facts as they really are.

If, however, according to present enlightened ideas of political wisdom, the true glory of a state lies in the uninterrupted development of its power by every possible means, this judgment must certainly strike one as scholastic and pedantic.

2. No state having an independent existence—whether it be great or small—shall be acquired by another through inheritance, exchange, purchase or donation.

For a state is not a property (*patrimonium*), as may be the ground on which its people are settled. It is a society of human beings over whom no one but itself has the right to rule and to dispose. Like the trunk of a tree, it has its own roots, and to graft it on to another state is to do away with its existence as a moral person, and to make of it a thing. Hence it is in contradiction to the idea of the original contract without which no right over a people is thinkable. Everyone knows to what danger the bias in favour of these modes of acquisition has brought Europe (in other parts of the world it has never been known). The custom of marriage between states, as if they were individuals, has survived even up to the most recent times, and is regarded partly as a new kind of industry by which ascendancy may be acquired through family alliances, without any expenditure of strength; partly as a device for territorial expansion. Moreover, the hiring out of the troops of one state to another to fight against an enemy not at war with their native country is to be reckoned in this connection; for the subjects are in this way used and abused at will as personal property.

3. Standing armies (miles perpetuus) shall be abolished in course of time.

For they are always threatening other states with war by appearing to be in constant readiness to fight. They incite the various states to outrival one another in the number of their soldiers, and to this number no limit can be set. Now, since owing to the sums devoted to this purpose, peace at last becomes even more oppressive than a short war, these standing armies are themselves the cause of wars of aggression, undertaken in order to get rid of this burden. To which we must add that the practice of hiring men to kill or to be killed seems to imply a use of them as mere machines and instruments in the hand

of another (namely, the state) which cannot easily be reconciled with the right of humanity in our own person. The matter stands quite differently in the case of voluntary periodical military exercise on the part of citizens of the state, who thereby seek to secure themselves and their country against attack from without.

The accumulation of treasure in a state would in the same way be regarded by other states as a menace of war, and might compel them to anticipate this by striking the first blow. For of the three forces, the power of arms, the power of alliance and the power of money, the last might well become the most reliable instrument of war, did not the difficulty of ascertaining the amount stand in the way.

4. No national debts shall be contracted in connection with the external affairs of the state.

This source of help is above suspicion, where assistance is sought outside or within the state, on behalf of the economic administration of the country (for instance, the improvement of the roads, the settlement and support of new colonies, the establishment of granaries to provide against seasons of scarcity, and so on). But, as a common weapon used by the Powers against one another, a credit system under which debts go on indefinitely increasing and are yet always assured against immediate claims (because all the creditors do not put in their claim at once) is a dangerous money power. This ingenious invention of a commercial people in the present century is, in other words, a treasure for the carrying on of war which may exceed the treasures of all the other states taken together, and can only be exhausted by a threatening deficiency in the taxes—an event, however, which will long be kept off by the very briskness of commerce resulting from the reaction of this system on industry and trade. The ease, then, with which war may be waged, coupled with the inclination of rulers towards it—an inclination which seems to be implanted in human nature—is a great obstacle in the way of perpetual peace. The prohibition of this system must be laid down as a preliminary article of perpetual peace, all the more necessarily because the final inevitable bankruptcy of the state in question must involve in the loss many who are innocent; and this would be a public injury to these states. Therefore other nations are at least justified in uniting themselves against such an one and its pretensions.

5. No state shall violently interfere with the constitution and administration of another.

For what can justify it in so doing? The scandal which is here presented to the subjects of another state? The erring state can much more serve as a

warning by exemplifying the great evils which a nation draws down on itself through its own lawlessness. Moreover, the bad example which one free person gives another (as *scandalum acceptum*) does no injury to the latter. In this connection, it is true, we cannot count the case of a state which has become split up through internal corruption into two parts, each of them representing by itself an individual state which lays claim to the whole. Here the yielding of assistance to one faction could not be reckoned as interference on the part of a foreign state with the constitution of another, for here anarchy prevails. So long, however, as the inner strife has not yet reached this stage the interference of other powers would be a violation of the rights of an independent nation which is only struggling with internal disease. It would therefore itself cause a scandal, and make the autonomy of all states insecure.

6. No state at war with another shall countenance such modes of hostility as would make mutual confidence impossible in a subsequent state of peace: such are the employment of assassins (percussores) or of poisoners (venefici), breaches of capitulation, the instigating and making use of treachery (perduellio) in the hostile state.

These are dishonourable stratagems. For some kind of confidence in the disposition of the enemy must exist even in the midst of war, as otherwise peace could not be concluded, and the hostilities would pass into a war of extermination (*bellum internecinum*). War, however, is only our wretched expedient of asserting a right by force, an expedient adopted in the state of nature, where no court of justice exists which could settle the matter in dispute. In circumstances like these, neither of the two parties can be called an unjust enemy, because this form of speech presupposes a legal decision: the issue of the conflict—just as in the case of the so-called judgments of God—decides on which side right is. Between states, however, no punitive war (*bellum punitivum*) is thinkable, because between them a relation of superior and inferior does not exist. Whence it follows that a war of extermination, where the process of annihilation would strike both parties at once and all right as well, would bring about perpetual peace only in the great graveyard of the human race. Such a war then, and therefore also the use of all means which lead to it, must be absolutely forbidden. That the methods just mentioned do inevitably lead to this result is obvious from the fact that these infernal arts, already vile in themselves, on coming into use, are not long confined to the sphere of war. Take, for example, the use of spies (*uti exploratoribus*). Here only the dishonesty of others is made use of; but vices such as these, when once encouraged, cannot in the nature of things be stamped out and would be

carried over into the state of peace, where their presence would be utterly destructive to the purpose of that state.

Although the laws stated are, objectively regarded (*i.e.*, in so far as they affect the action of rulers), purely prohibitive laws (*leges prohibitiuæ*), some of them (*leges strictæ*) are strictly valid without regard to circumstances and urgently require to be enforced. Such are Nos. 1, 5, 6. Others, again, (like Nos. 2, 3, 4) although not indeed exceptions to the maxims of law, yet in respect of the practical application of these maxims allow subjectively of a certain latitude to suit particular circumstances. The enforcement of these *leges latæ* may be legitimately put off, so long as we do not lose sight of the ends at which they aim. This purpose of reform does not permit of the deferment of an act of restitution (as, for example, the restoration to certain states of freedom of which they have been deprived in the manner described in article 2) to an infinitely distant date—as Augustus used to say, to the “Greek Kalends,” a day that will never come. This would be to sanction non-restitution. Delay is permitted only with the intention that restitution should not be made too precipitately and so defeat the purpose we have in view. For the prohibition refers here only to the *môde of acquisition* which is to be no longer valid, and not to the *fact of possession* which, although indeed it has not the necessary title of right, yet at the time of so-called acquisition was held legal by all states, in accordance with the public opinion of the time.

Second Section

CONTAINING THE DEFINITIVE ARTICLES OF A PERPETUAL PEACE BETWEEN STATES

A state of peace among men who live side by side is not the natural state (*status naturalis*), which is rather to be described as a state of war: that is to say, although there is not perhaps always actual open hostility, yet there is a constant threatening that an outbreak may occur. Thus the state of peace must be *established*. For the mere cessation of hostilities is no guarantee of continued peaceful relations, and unless this guarantee is given by every individual to his neighbour—which can only be done in a state of society regulated by law—one man is at liberty to challenge another and treat him as an enemy.

FIRST DEFINITIVE ARTICLE OF PERPETUAL PEACE

1. *The civil constitution of each state shall be republican.*

The only constitution which has its origin in the idea of the original contract, upon which the lawful legislation of every nation must be based, is the republican. It is a constitution, in the first place, founded in accordance with

the principle of the freedom of the members of society as human beings: secondly, in accordance with the principle of the dependence of all, as subjects, on a common legislation: and, thirdly, in accordance with the law of the equality of the members as citizens. It is then, looking at the question of right, the only constitution whose fundamental principles lie at the basis of every form of civil constitution. And the only question for us now is, whether it is also the one constitution which can lead to perpetual peace.

Now the republican constitution apart from the soundness of its origin, since it arose from the pure source of the concept of right, has also the prospect of attaining the desired result, namely, perpetual peace. And the reason is this. If, as must be so under this constitution, the consent of the subjects is required to determine whether there shall be war or not, nothing is more natural than that they should weigh the matter well, before undertaking such a bad business. For in decreeing war, they would of necessity be resolving to bring down the miseries of war upon their country. This implies: they must fight themselves; they must hand over the costs of the war out of their own property; they must do their poor best to make good the devastation which it leaves behind; and finally, as a crowning ill, they have to accept a burden of debt which will embitter even peace itself, and which they can never pay off on account of the new wars which are always impending. On the other hand, in a government where the subject is not a citizen holding a vote (*i.e.*, in a constitution which is not republican), the plunging into war is the least serious thing in the world. For the ruler is not a citizen, but the owner of the state, and does not lose a whit by the war, while he goes on enjoying the delights of his table or sport, or of his pleasure palaces and gala days. He can therefore decide on war for the most trifling reasons, as if it were a kind of pleasure party. Any justification of it that is necessary for the sake of decency he can leave without concern to the diplomatic corps who are always only too ready with their services.

The following remarks must be made in order that we may not fall into the common error of confusing the republican with the democratic constitution. The forms of the state (*civitas*) may be classified according to either of two principles of division:—the difference of the persons who hold the supreme authority in the state, and the manner in which the people are governed by their ruler whoever he may be. The first is properly called the form of sovereignty (*forma imperii*), and there can be only three constitutions differing in this respect: where, namely, the supreme authority belongs to only one, to several individuals working together, or to the whole people constituting the civil society. Thus we have autocracy or the sovereignty of a monarch, aristocracy or the sovereignty of the nobility, and democracy or the sovereignty

of the people. The second principle of division is the form of government (*forma regiminis*), and refers to the way in which the state makes use of its supreme power: for the manner of government is based on the constitution, itself the act of that universal will which transforms a multitude into a nation. In this respect the form of government is either republican or despotic. Republicanism is the political principle of severing the executive power of the government from the legislature. Despotism is that principle in pursuance of which the state arbitrarily puts into effect laws which it has itself made: consequently it is the administration of the public will, but this is identical with the private will of the ruler. Of these three forms of a state, democracy, in the proper sense of the word, is of necessity despotism, because it establishes an executive power, since all decree regarding—and, if need be, against—any individual who dissents from them. Therefore the “whole people,” so-called, who carry their measure are really not all, but only a majority: so that here the universal will is in contradiction with itself and with the principle of freedom.

Every form of government in fact which is not representative is really no true constitution at all, because a law-giver may no more be, in one and the same person, the administrator of his own will, than the universal major premise of a syllogism may be, at the same time, the subsumption under itself of the particulars contained in the minor premise. And, although the other two constitutions, autocracy and aristocracy, are always defective in so far as they leave the way open for such a form of government, yet there is at least always a possibility in these cases, that they may take the form of a government in accordance with the spirit of a representative system. Thus Frederick the Great used at least to say that he was “merely the highest servant of the state.” The democratic constitution, on the other hand, makes this impossible, because under such a government every one wishes to be master. We may therefore say that the smaller the staff of the executive—that is to say, the number of rulers—and the more real, on the other hand, their representation of the people, so much the more is the government of the state in accordance with a possible republicanism; and it may hope by gradual reforms to raise itself to that standard. For this reason, it is more difficult under an aristocracy than under a monarchy—while under a democracy it is impossible except by a violent revolution—to attain to this, the one perfectly lawful constitution. The kind of government, however, is of infinitely more importance to the people than the kind of constitution, although the greater or less aptitude of a people for this ideal greatly depends upon such external form. The form of government, however, if it is to be in accordance with the idea of right, must embody the representative system in which alone a republican form of administration is possible and without which it is despotic and violent, be the constitution

what it may. None of the ancient so-called republics were aware of this, and they necessarily slipped into absolute despotism which, of all despotisms, is most endurable under the sovereignty of one individual.

SECOND DEFINITIVE ARTICLE OF PERPETUAL PEACE

2. The law of nations shall be founded on a federation of free states.

Nations, as states, may be judged like individuals who, living in the natural states of society—that is to say, uncontrolled by external law—injure one another through their very proximity. Every state, for the sake of its own security, may—and ought to—demand that its neighbour should submit itself to conditions, similar to those of the civil society where the right of every individual is guaranteed. This would give rise to a federation of nations which, however, would not have to be a State of nations. That would involve a contradiction. For the term “state” implies the relation of one who rules to those who obey—that is to say, of lawgiver to the subject people: and many nations in one state would constitute only one nation, which contradicts our hypothesis, since here we have to consider the right of one nation against another, in so far as they are so many separate states and are not to be fused into one.

The attachment of savages to their lawless liberty, the fact that they would rather be at hopeless variance with one another than submit themselves to a legal authority constituted by themselves, that they therefore prefer their senseless freedom to a reason-governed liberty, is regarded by us with profound contempt as barbarism and uncivilisation and the brutal degradation of humanity. So one would think that civilised races, each formed into a state by itself, must come out of such an abandoned condition as soon as they possibly can. On the contrary, however, every state thinks rather that its majesty (the “majesty” of a people is an absurd expression) lies just in the very fact that it is subject to no external legal authority: and the glory of the ruler consists in this, that, without his requiring to expose himself to danger, thousands stand at his command ready to let themselves be sacrificed for a matter of no concern to them. The difference between the savages of Europe and those of America lies chiefly in this, that, while many tribes of the latter have been entirely devoured by their enemies, Europeans know a better way of using the vanquished than by eating them; and they prefer to increase through them the number of their subjects, and so the number of instruments at their command for still more widely spread war.

The depravity of human nature shows itself without disguise in the unrestrained relations of nations to each other, while in the law-governed civil state much of this is hidden by the check of government. This being so, it is

astonishing that the word "right" has not yet been entirely banished from the politics of war as pedantic, and that no state has yet ventured publicly to advocate this point of view. For Hugo Grotius, Puffendorf, Vattel and others—Job's comforters, all of them—are always quoted in good faith to justify an attack, although their codes, whether couched in philosophical or diplomatic terms, have not—nor can have—the slightest legal force, because states, as such, are under no common external authority; and there is no instance of a state having ever been moved by argument to desist from its purpose, even when this was backed up by the testimony of such great men. This homage which every state renders—in words at least—to the idea of right, proves that, although it may be slumbering, there is, notwithstanding, to be found in man a still higher natural moral capacity by the aid of which he will in time gain the mastery over the evil principle in his nature, the existence of which he is unable to deny. And he hopes the same of others; for otherwise the word "right" would never be uttered by states who wish to wage war, unless to deride it like the Gallic Prince who declared:—"The privilege which nature gives the strong is that the weak must obey them."

The method by which states prosecute their rights can never be by process of law—as it is where there is an external tribunal—but only by war. Through this means, however, and its favourable issue, victory, the question of right is never decided. A treaty of peace makes, it may be, an end to the war of the moment, but not to the conditions of war which at any time may afford a new pretext for opening hostilities; and this we cannot exactly condemn as unjust, because under these conditions everyone is his own judge. Notwithstanding, not quite the same rule applies to states according to the law of nations as holds good of individuals in a lawless condition according to the law of nature, namely, "that they ought to advance out of this condition." This is so, because, as states, they have already within themselves a legal constitution, and have therefore advanced beyond the stage at which others, in accordance with their ideas of right, can force them to come under a wider legal constitution. Meanwhile, however, reason, from her throne of the supreme law-giving moral power, absolutely condemns war as a morally lawful proceeding, and makes a state of peace, on the other hand, an immediate duty. Without a compact between the nations, however, this state of peace cannot be established or assured. Hence there must be an alliance of a particular kind which we may call a covenant of peace (*foedus pacificum*), which would differ from a treaty of peace (*pactum pacis*) in this respect, that the latter merely puts an end to one war, while the former would seek to put an end to war for ever. This alliance does not aim at the gain of any power whatsoever of the state, but merely at the preservation and security of the freedom of the

state for itself and of other allied states at the same time. The latter do not, however, require, for this reason, to submit themselves like individuals in the state of nature to public laws and coercion. The practicability or objective reality of this idea of federation which is to extend gradually over all states and so lead to perpetual peace can be shewn. For, if Fortune ordains that a powerful and enlightened people should form a republic—which by its very nature is inclined to perpetual peace—this would serve as a centre of federal union for other states wishing to join, and thus secure conditions of freedom among the states in accordance with the idea of the law of nations. Gradually, through different unions of this kind, the federation would extend further and further.

It is quite comprehensible that a people should say:—"There shall be no war among us, for we shall form ourselves into a state, that is to say, constitute for ourselves a supreme legislative, administrative and judicial power which will settle our disputes peaceably." But if this state says:—"There shall be no war between me and other states, although I recognise no supreme law-giving power which will secure me my rights and whose rights I will guarantee;" then it is not at all clear upon what grounds I could base my confidence in my right, unless it were the substitute for that compact on which civil society is based—namely, free federation which reason must necessarily connect with the idea of the law of nations, if indeed any meaning is to be left in that concept at all.

There is no intelligible meaning in the idea of the law of nations as giving a right to make war; for that must be a right to decide what is just, not in accordance with universal, external laws limiting the freedom of each individual, but by means of one-sided maxims applied by force. We must then understand by this that men of such ways of thinking are quite justly served, when they destroy one another, and thus find perpetual peace in the wide grave which covers all the abominations of acts of violence as well as the authors of such deeds. For states, in their relation to one another, there can be, according to reason, no other way of advancing from that lawless condition which unceasing war implies, than by giving up their savage lawless freedom, just as individual men have done, and yielding to the coercion of public laws. Thus they can form a society of nations (*civitas gentium*), one, too, which will be ever increasing and would finally embrace all the peoples of the earth. States, however, in accordance with their understanding of the law of nations, by no means desire this, and therefore reject in practice (*in hypothesi*) what is correct in theory (*in thesi*). Hence, instead of the positive idea of a world-republic, if all is not to be lost, only the negative substitute for it, a federation averting war, maintaining its ground and ever extending over

the world may stop the current of this tendency to war and shrinking from the control of law. But even then there will be a constant danger that this propensity may break out.

THIRD DEFINITIVE ARTICLE OF PERPETUAL PEACE

3. *The rights of men, as citizens of the world, shall be limited to the conditions of universal hospitality.*

We are speaking here, as in the previous articles, not of philanthropy, but of right; and in this sphere hospitality signifies the claim of a stranger entering foreign territory to be treated by its owner without hostility. The latter may send him away again, if this can be done without causing his death; but, so long as he conducts himself peaceably, he must not be treated as an enemy. It is not a right to be treated as a guest to which the stranger can lay claim—a special friendly compact on his behalf would be required to make him for a given time an actual inmate—but he has a right of visitation. This right to present themselves to society belongs to all mankind in virtue of our common right of possession on the surface of the earth on which, as it is a globe, we cannot be infinitely scattered, and must in the end reconcile ourselves to existence side by side: at the same time, originally no one individual had more right than another to live in any one particular spot. Uninhabitable portions of the surface, ocean and desert, split up the human community, but in such a way that ships and camels—"the ship of the desert"—make it possible for men to come into touch with one another across these unappropriated regions and to take advantage of our common claim to the face of the earth with a view to a possible intercommunication. The inhospitality of the inhabitants of certain sea coasts—as, for example, the coast of Barbary—in plundering ships in neighbouring seas or making slaves of shipwrecked mariners; or the behaviour of the Arab Bedouins in the deserts, who think that proximity to nomadic tribes constitutes a right to rob, is thus contrary to the law of nature. This right to hospitality, however—that is to say, the privilege of strangers arriving on foreign soil—does not amount to more than what is implied in a permission to make an attempt at intercourse with the original inhabitants. In this way far distant territories may enter into peaceful relations with one another. These relations may at last come under the public control of law, and thus the human race may be brought nearer the realisation of a cosmopolitan constitution.

Let us look now, for the sake of comparison, at the inhospitable behaviour of the civilised nations, especially the commercial states of our continent. The injustice which they exhibit on visiting foreign lands and races—this being

equivalent in their eyes to conquest—is such as to fill us with horror. America, the negro countries, the Spice Islands, the Cape etc. were, on being discovered, looked upon as countries which belonged to nobody; for the native inhabitants were reckoned as nothing. In Hindustan, under the pretext of intending to establish merely commercial depots, the Europeans introduced foreign troops; and, as a result, the different states of Hindustan were stirred up to far-spreading wars. Oppression of the natives followed, famine, insurrection, perfidy and all the rest of the litany of evils which can afflict mankind.

China and Japan (Nippon), which had made an attempt at receiving guests of this kind, have now taken a prudent step. Only to a single European people, the Dutch, has China given the right of access to her shores (but not of entrance into the country), while Japan has granted both these concessions; but at the same time they exclude the Dutch, who enter as if they were prisoners, from social intercourse with the inhabitants. The worst, or from the standpoint of ethical judgment the best, of all this is that no satisfaction is derived from all this violence, that all these trading companies stand on the verge of ruin, that the Sugar Islands, that seat of the most horrible and deliberate slavery, yield no real profit, but only have their use indirectly and for no very praiseworthy object—namely, that of furnishing men to be trained as sailors for the men-of-war and thereby contributing to the carrying on of war in Europe. And this has been done by nations who make a great ado about their piety, and who, while they are quite ready to commit injustice, would like, in their orthodoxy, to be considered among the elect.

The intercourse, more or less close, which has been everywhere steadily increasing between the nations of the earth, has now extended so enormously that a violation of right in one part of the world is felt all over it. Hence the idea of a cosmopolitan right is no fantastical, high-flown notion of right, but a complement of the unwritten code of law—constitutional as well as international law—necessary for the public rights of mankind in general and thus for the realisation of perpetual peace. For only by endeavouring to fulfil the conditions laid down by this cosmopolitan law can we flatter ourselves that we are gradually approaching that ideal.

DAVID HUME

THE METHOD EMPLOYED by the characteristic social philosophers of the eighteenth century was a combination of two approaches. The attack upon traditional institutions was carried on by giving an account of their origin, so as to show their beginnings in irrational and outworn usage. On the other hand, the construction of new political systems was executed in a rationalistic fashion—not by appeal to experience but by deduction from principles held to be certain and self-evident. Hardly any philosophers—from employers of Locke's "natural rights" to utilitarians such as Helvétius—doubted for a moment the fundamental harmony of the natural order or the fact that this harmony was exhibited in the social world, in the identity of private with public interests. Rousseau's appeal to sentiment was one of the first onslaughts on the uncritical faith in reason, but it was left to the Scottish David Hume (1711–76) to direct a gifted analytic mind against the structure of rationalism and deism. Hume's work marked the beginning of a new phase in social philosophy by showing that the empirical method employed to undermine tradition and custom could be turned upon the rationalists as well.

Hume's "passion for literature" and for literary fame induced him, after the failure of his *Treatise of Human Nature* (1739–40) to gain a reputation for him, to write in a more popular style. His efforts were crowned with success. The *Essays Moral and Political* (1741–42) made a distinct impression, and they were followed by various other works on philosophical, historical, and economic subjects. In 1748 Hume published his *Enquiry into the Human Understanding*, a condensation and revision of the *Treatise*. He revised the ethical material of the *Treatise* in a work appearing in 1751 under the title of *Enquiry into Morals*. The following selection is from this latter work. All of Hume's writings display a lively style and wittily skeptical mind. While his reputation now rests largely on his philosophical works, his works in history and in economics were among the most notable literary productions of his day.

Hume's attack upon the presumption of the Newtonians that one could attain certain or perfect demonstration of matters of fact began with his attack upon a notion relating to physics—causation. On the negative side Hume showed that since the opposite of any matter of fact is possible, no necessary connection between cause and effect could be established. The statement of a causal relation was, consequently, simply a description of the way in which two objects have repeatedly been seen to be joined together. Thus, when we say that A causes B we only mean that B is constantly conjoined with A and that A is only conjoined with B. Furthermore, since the causal relation simply states the way things have happened in the past, and since the contrary of every matter of fact is conceivable, there is no rational basis for the certain prediction of the future on the basis of the past.

On the positive side, Hume argued that we get the idea of causal efficacy from "the felt force of association" with which our mind tends to move from cause to effect. The constant conjunction of two objects creates a mental habit, or "tendency to feign," and the perception of the force of this habit of association is the origin of our idea of causation. Thus, causation is simply a relation of constant conjunc-

tion, and what "force" there is in it is simply the habitual transition made by the mind. In Hume's classic phrase, "Custom is the great guide of human life."

Hume's political theory continues this emphasis, and, more than any other thinker, he is responsible for the preoccupation of contemporary students of human nature and society with institutions and habits. The consequence in the field of social philosophy of Hume's attack on natural law was that such words as "right" or "good" were explained not as universal laws but as statements of human desires or "propensities." The social and moral relations are no more absolutely demonstrable than is the causal relation, and moral knowledge is not logically certain. Hume is not, of course, attacking the possibility of a reasonable political life, but he is insisting that "reason is and ought only to be the slave of the passions" and that a community or an ethical life is inevitably based upon what he called "conventions," that is, more or less regularized habits of behavior.

Hume's theory has consequently been associated with the philosophy known as utilitarianism. The worth of a social convention, as he argued, must be estimated in terms of its contributions to individual interests or to the stability of society. For unless men have conventions, they have no regular ways of behaving on which they can depend. Thus, Hume insisted that political virtues, such as justice, are simply institutionalized habits, justified in so far as they promote a stable society in which business can be carried on and human needs satisfied.

In comparison with other varieties of the theory, Hume's version of utilitarianism was not immediately influential. It was too "skeptical" or, as later thinkers frequently argued, too "negative" to be readily acceptable to men with a passionate allegiance to a particular political program. It was submerged under the simpler theory of Helvétius and Bentham, which had what Hume regarded as a narrow view of human nature, namely, that man is motivated exclusively by self-interest—the desire for pleasure and the avoidance of pain—and which possessed the faith that men might be taught to calculate their own interest exactly. The principle implicit in these latter theories, that the furthering of individual interests is one and the same with promoting the common welfare, was more useful to rationalist reformers than was Hume's conservative emphasis upon custom, and most useful to a middle class concerned to rid itself of "customary" mercantilist restraints.



AN ENQUIRY CONCERNING THE PRINCIPLES OF MORALS

OF THE GENERAL PRINCIPLES OF MORALS

DISPUTES WITH MEN, pertinaciously obstinate in their principles, are, of all others, the most irksome; except, perhaps, those with persons, entirely disingenuous, who really do not believe the opinions they defend; but engage in the controversy, from affectation, from a spirit of opposition, or from a desire of showing wit and ingenuity, superior to the rest of mankind. The

same blind adherence to their own arguments is to be expected in both; the same contempt of their antagonists; and the same passionate vehemence, in enforcing sophistry and falsehood. And as reasoning is not the source, whence either disputant derives his tenets; it is in vain to expect, that any logic, which speaks not to the affections, will ever engage him to embrace sounder principles.

Those who have denied the reality of moral distinctions, may be ranked among the disingenuous disputants; nor is it conceivable, that any human creature could ever seriously believe, that all characters and actions were alike entitled to the affection and regard of everyone. The difference, which nature has placed between one man and another, is so wide, and this difference is still so much farther widened, by education, example, and habit, that, where the opposite extremes come at once under our apprehension, there is no scepticism so scrupulous, and scarce any assurance so determined, as absolutely to deny all distinction between them. Let a man's insensibility be ever so great, he must often be touched with the images of Right and Wrong; and let his prejudices be ever so obstinate, he might observe, that others are susceptible of like impressions. The only way, therefore, of converting an antagonist of this kind, is to leave him to himself. For, finding that nobody keeps up the controversy with him, it is probable he will, at last, of himself, from mere weariness, come over to the side of common sense and reason.

There has been a controversy started of late, much better worth examination, concerning the general foundation of Morals; whether they be derived from Reason, or from Sentiment; whether we attain the knowledge of them by a chain of argument and induction, or by an immediate feeling and finer internal sense; whether, like all sound judgement of truth and falsehood, they should be the same to every rational intelligent being; or whether, like the perception of beauty and deformity, they be founded entirely on the particular fabric and constitution of the human species.

The ancient philosophers, though they often affirm, that virtue is nothing but conformity to reason, yet in general, seem to consider morals as deriving their existence from taste and sentiment. On the other hand, our modern enquirers, though they also talk much of the beauty of virtue, and deformity of vice, yet have commonly endeavoured to account for these distinctions by metaphysical reasonings, and by deductions from the most abstract principles of the understanding. Such confusion reigned in these subjects, that an opposition of the greatest consequence could prevail between one system and another; and even in the parts of almost each individual system; and yet nobody, till very lately, was ever sensible of it. The elegant Lord Shaftesbury, who first gave occasion to remark this distinction, and who, in general, ad-

hered to the principles of the ancients, is not, himself, entirely free from the same confusion.

It must be acknowledged, that both sides of the question are susceptible of specious arguments. Moral distinctions, it may be said, are discernible by pure *reason*: else, whence the many disputes that reign in common life, as well as in philosophy, with regard to this subject: the long chain of proofs often produced on both sides; the examples cited, the authorities appealed to, the analogies employed, the fallacies detected, the inferences drawn, and the several conclusions adjusted to their proper principles. Truth is disputable; not taste: what exists in the nature of things is the standard of our judgement; what each man feels within himself is the standard of sentiment. Propositions in geometry may be proved, systems in physics may be converted; but the harmony of verse, the tenderness of passion, the brilliancy of wit, must give immediate pleasure. No man reasons concerning another's beauty; but frequently concerning the justice or injustice of his actions. In every criminal trial the first object of the prisoner is to disprove the facts alleged, and deny the actions imputed to him: the second to prove, that, even if these actions were real, they might be justified, as innocent and lawful. It is confessedly by deductions of the understanding, that the first point is ascertained: how can we suppose that a different faculty of the mind is employed in fixing the other?

On the other hand, those who would resolve all moral determinations into *sentiment*, may endeavour to show, that it is impossible for reason ever to draw conclusions of this nature. To virtue, say they, it belongs to be *amiable*, and vice *odious*. This forms their very nature or essence. But can reason or argumentation distribute these different epithets to any subjects, and pronounce beforehand, that this must produce love, and that hatred? Or what other reason can we ever assign for these affections, but the original fabric and formation of the human mind, which is naturally adapted to receive them?

The end of all moral speculations is to teach us our duty; and, by proper representations of the deformity of vice and beauty of virtue, beget correspondent habits, and engage us to avoid the one, and embrace the other. But is this ever to be expected from inferences and conclusions of the understanding, which of themselves have no hold of the affections or set in motion the active powers of men? They discover truths: but where the truths which they discover are indifferent, and beget no desire or aversion, they can have no influence on conduct and behaviour. What is honourable, what is fair, what is becoming, what is noble, what is generous, takes possession of the heart, and animates us to embrace and maintain it. What is intelligible, what is evident, what is probable, what is true, procures only the cool assent of the

understanding; and gratifying a speculative curiosity, puts an end to our researches.

Extinguish all the warm feelings and prepossessions in favour of virtue, and all disgust or aversion to vice: render men totally indifferent towards these distinctions; and morality is no longer a practical study, nor has any tendency to regulate our lives and actions.

These arguments on each side (and many more might be produced) are so plausible, that I am apt to suspect, they may, the one as well as the other, be solid and satisfactory, and that *reason* and *sentiment* concur in almost all moral determinations and conclusions. The final sentence, it is probable, which pronounces characters and actions amiable or odious, praise-worthy or blameable; that which stamps on them the mark of honour or infamy, approbation or censure; that which renders morality an active principle and constitutes virtue our happiness, and vice our misery: it is probable, I say, that this final sentence depends on some internal sense or feeling, which nature has made universal in the whole species. For what else can have an influence of this nature? But in order to pave the way for such a sentiment, and give a proper discernment of its object, it is often necessary, we find, that much reasoning should precede, that nice distinctions be made, just conclusions drawn, distant comparisons formed, complicated relations examined, and general facts fixed and ascertained. Some species of beauty, especially the natural kinds, on their first appearance, command our affection and approbation; and where they fail of this effect, it is impossible for any reasoning to redress their influence, or adapt them better to our taste and sentiment. But in many orders of beauty, particularly those of the finer arts, it is requisite to employ much reasoning, in order to feel the proper sentiment; and a false relish may frequently be corrected by argument and reflection. There are just grounds to conclude, that moral beauty partakes much of this latter species, and demands the assistance of our intellectual faculties, in order to give it a suitable influence on the human mind.

But though this question, concerning the general principles of morals, be curious and important, it is needless for us, at present, to employ further care in our researches concerning it. For if we can be so happy, in the course of this enquiry, as to discover the true origin of morals, it will then easily appear how far either sentiment or reason enters into all determinations of this nature. In order to attain this purpose, we shall endeavour to follow a very simple method: we shall analyse that complication of mental qualities, which form what, in common life, we call Personal Merit: we shall consider every attribute of the mind, which renders a man an object either of esteem and affection, or of hatred and contempt; every habit or sentiment or faculty, which,

if ascribed to any person, implies either praise or blame, and may enter into any panegyric or satire of his character and manners. The quick sensibility, which, on this head, is so universal among mankind, gives a philosopher sufficient assurance, that he can never be considerably mistaken in framing the catalogue, or incur any danger of misplacing the objects of his contemplation: he needs only enter into his own breast for a moment, and consider whether or not he should desire to have this or that quality ascribed to him, and whether such or such an imputation would proceed from a friend or an enemy. The very nature of language guides us almost infallibly in forming a judgement of this nature; and as every tongue possesses one set of words which are taken in a good sense, and another in the opposite, the least acquaintance with the idiom suffices, without any reasoning, to direct us in collecting and arranging the estimable or blameable qualities of men. The only object of reasoning is to discover the circumstances on both sides, which are common to these qualities; to observe that particular in which the estimable qualities agree on the one hand, and the blameable on the other; and thence to reach the foundation of ethics, and find those universal principles, from which all censure or approbation is ultimately derived. As this is a question of fact, not of abstract science, we can only expect success, by following the experimental method, and deducing general maxims from a comparison of particular instances. The other scientific method, where a general abstract principle is first established, and is afterwards branched out into a variety of inferences and conclusions, may be more perfect in itself, but suits less the imperfection of human nature, and is a common source of illusion and mistake in this as well as in other subjects. Men are now cured of their passion for hypotheses and systems in natural philosophy, and will hearken to no arguments but those which are derived from experience. It is full time they should attempt a like reformation in all moral disquisitions; and reject every system of ethics, however subtle or ingenious, which is not founded on fact and observation.

We shall begin our enquiry on this head by the consideration of the social virtues, Benevolence and Justice. The explication of them will probably give us an opening by which the others may be accounted for.

OF BENEVOLENCE

Part I. It may be esteemed, perhaps, a superfluous task to prove, that the benevolent or softer affections are estimable; and wherever they appear, engage the approbation and good-will of mankind. The epithets *sociable, good-natured, humane, merciful, grateful, friendly, generous, beneficent*, or their equivalents, are known in all languages, and universally express the highest merit, which *human nature* is capable of attaining. Where these amiable quali-

ties are attended with birth and power and eminent abilities, and display themselves in the good government or useful instruction of mankind, they seem even to raise the possessors of them above the rank of *human nature*, and make them approach in some measure to the divine. Exalted capacity, undaunted courage, prosperous success; these may only expose a hero or politician to the envy and ill-will of the public: but as soon as the praises are added of humane and beneficent; when instances are displayed of lenity, tenderness or friendship; envy itself is silent, or joins the general voice of approbation and applause. . . .

But I forget, that it is not my present business to recommend generosity and benevolence, or to paint, in their true colours, all the genuine charms of the social virtues. These, indeed, sufficiently engage every heart, on the first apprehension of them; and it is difficult to abstain from some sally of panegyric, as often as they occur in discourse or reasoning. But our object here being more the speculative, than the practical part of morals, it will suffice to remark (what will readily, I believe, be allowed) that no qualities are more intitled to the general good-will and approbation of mankind than beneficence and humanity, friendship and gratitude, natural affection and public spirit, or whatever proceeds from a tender sympathy with others, and a generous concern for our kind and species. These wherever they appear, seem to transfuse themselves, in a manner, into each beholder, and to call forth, in their own behalf, the same favourable and affectionate sentiments, which they exert on all around.

Part II. We may observe that, in displaying the praises of any humane, beneficent man, there is one circumstance which never fails to be amply insisted on, namely, the happiness and satisfaction, derived to society from his intercourse and good offices. To his parents, we are apt to say, he endears himself by his pious attachment and duteous care still more than by the connexions of nature. His children never feel his authority, but when employed for their advantage. With him, the ties of love are consolidated by beneficence and friendship. The ties of friendship approach, in a fond observance of each obliging office, to those of love and inclination. His domestics and dependents have in him a sure resource; and no longer dread the power of fortune, but so far as she exercises it over him. From him the hungry receive food, the naked clothing, the ignorant and slothful skill and industry. Like the sun, an inferior minister of providence he cheers, invigorates, and sustains the surrounding world.

If confined to private life, the sphere of his activity is narrower; but his influence is all benign and gentle. If exalted into a higher station, mankind and posterity reap the fruit of his labours.

As these topics of praise never fail to be employed, and with success, where we would inspire esteem for any one; may it not thence be concluded, that the

utility, resulting from the social virtues, forms, at least, a *part* of their merit, and is one source of that approbation and regard so universally paid to them?

When we recommend even an animal or a plant as *useful* and *beneficial*, we give it an applause and recommendation suited to its nature. As, on the other hand, reflection on the baneful influence of any of these inferior beings always inspires us with the sentiment of aversion. The eye is pleased with the prospect of cornfields and loaded vineyards; horses grazing, and flocks pasturing: but flies the view of briars and brambles, affording shelter to wolves and serpents.

A machine, a piece of furniture, a vestment, a house well contrived for use and conveniency, is so far beautiful, and is contemplated with pleasure and approbation. An experienced eye is here sensible to many excellencies, which escape persons ignorant and uninstructed.

Can anything stronger be said in praise of a profession, such as merchandise or manufacture, than to observe the advantages which it procures to society; and is not a monk and inquisitor enraged when we treat his order as useless or pernicious to mankind?

The historian exults in displaying the benefit arising from his labours. The writer of romance alleviates or denies the bad consequences ascribed to his manner of composition.

In general, what praise is implied in the simple epithet *useful*! What reproach in the contrary! . . .

Upon the whole, then, it seems undeniable, *that* nothing can bestow more merit on any human creature than the sentiment of benevolence in an eminent degree; and *that a part*, at least, of its merit arises from its tendency to promote the interests of our species, and bestow happiness on human society. We carry our view into the salutary consequences of such a character and disposition; and whatever has so benign an influence, and forwards so desirable an end, is beheld with complacency and pleasure. The social virtues are never regarded without their beneficial tendencies, nor viewed as barren and unfruitful. The happiness of mankind, the order of society, the harmony of families, the mutual support of friends, are always considered as the result of their gentle dominion over the breasts of men.

How considerable a *part* of their merit we ought to ascribe to their utility, will better appear from future disquisitions; as well as the reason, why this circumstance has such a command over our esteem and approbation.

OF JUSTICE

Part I. That justice is useful to society, and consequently that part of its merit, at least, must arise from that consideration, it would be a superfluous undertaking to prove. That public utility is the *sole* origin of justice, and that re

flections on the beneficial consequences of this virtue are the *sole* foundation of its merit; this proposition, being more curious and important, will better deserve our examination and enquiry.

Let us suppose that nature has bestowed on the human race such profuse *abundance* of all *external* conveniences, that, without any uncertainty in the event, without any care or industry on our part, every individual finds himself fully provided with whatever his most voracious appetites can want, or luxurious imagination wish or desire. His natural beauty, we shall suppose, surpasses all acquired ornaments: the perpetual clemency of the seasons renders useless all clothes or covering: the raw herbage affords him the most delicious fare; the clear fountain, the richest beverage. No laborious occupation required: no tillage: no navigation. Music, poetry, and contemplation form his sole business: conversation, mirth, and friendship his sole amusement.

It seems evident that, in such a happy state, every other social virtue would flourish, and receive tenfold increase; but the cautious, jealous virtue of justice would never once have been dreamed of. For what purpose make a partition of goods, where every one has already more than enough? Why give rise to property, where there cannot possibly be any injury? Why call this object *mine*, when upon the seizing of it by another, I need but stretch out my hand to possess myself to what is equally valuable? Justice, in that case, being totally useless, would be an idle ceremonial, and could never possibly have place in the catalogue of virtues.

We see, even in the present necessitous condition of mankind, that, wherever any benefit is bestowed by nature in an unlimited abundance, we leave it always in common among the whole human race, and make no subdivisions of right and property. Water and air, though the most necessary of all objects, are not challenged as the property of individuals; nor can any man commit injustice by the most lavish use and enjoyment of these blessings. In fertile extensive countries, with few inhabitants, land is regarded on the same footing. And no topic is so much insisted on by those, who defend the liberty of the seas, as the unexhausted use of them in navigation. Were the advantages, procured by navigation, as inexhaustible, these reasoners had never had any adversaries to refute; nor had any claims ever been advanced of a separate, exclusive dominion over the ocean.

It may happen, in some countries, at some periods, that there be established a property in water, none in land; if the latter be in greater abundance than can be used by the inhabitants, and the former be found, with difficulty, and in very small quantities.

Again; suppose, that, though the necessities of the human race continue the same as at present, yet the mind is so enlarged, and so replete with friendship

and generosity, that every man has the utmost tenderness for every man, and feels no more concern for his own interest than for that of his fellows; it seems evident, that the use of justice would, in this case, be suspended by such an extensive benevolence, nor would the divisions and barriers of property and obligation have ever been thought of. Why should I bind another, by a deed or promise, to do me any good office, when I know that he is already prompted, by the strongest inclination, to seek my happiness, and would, of himself, perform the desired service; except the hurt, he thereby receives, be greater than the benefit accruing to me? in which case, he knows, that from my innate humanity and friendship, I should be the first to oppose myself to his imprudent generosity. Why raise land-marks between my neighbour's field and mine, when my heart has made no division between our interests; but shares all his joys and sorrows with the same force and vivacity as if originally my own? Every man, upon this supposition, being a second self to another, would trust all his interests to the discretion of every man; without jealousy, without partition, without distinction. And the whole human race would form only one family; where all would lie in common, and be used freely, without regard to property; but cautiously too, with as entire regard to the necessities of each individual, as if our own interests were most intimately concerned.

In the present disposition of the human heart, it would, perhaps, be difficult to find complete instances of such enlarged affections; but still we may observe, that the case of families approaches towards it; and the stronger the mutual benevolence is among the individuals, the nearer it approaches; till all distinction of property be, in a great measure, lost and confounded among them. Between married persons, the cement of friendship is by the laws supposed so strong as to abolish all division of possessions; and has often, in reality, the force ascribed to it. And it is observable, that, during the ardour of new enthusiasms, when every principle is inflamed into extravagance, the community of goods has frequently been attempted; and nothing but experience of its inconveniences, from the returning or disguised selfishness of men, could make the imprudent fanatics adopt anew the ideas of justice and of separate property. So true is it, that this virtue derives its existence entirely from its necessary *use* to the intercourse and social state of mankind.

To make this truth more evident, let us reverse the foregoing suppositions; and carrying everything to the opposite extreme, consider what would be the effect of these new situations. Suppose a society to fall into such want of all common necessities, that the utmost frugality and industry cannot preserve the greater number from perishing, and the whole from extreme misery; it will readily, I believe, be admitted, that the strict laws of justice are suspended, in such a pressing emergence, and give place to the stronger motives of

necessity and self-preservation. Is it any crime, after a shipwreck, to seize whatever means or instrument of safety one can lay hold of, without regard to former limitations of property? Or if a city besieged were perishing with hunger; can we imagine, that men will see any means of preservation before them, and lose their lives, from a scrupulous regard to what, in other situations, would be the rules of equity and justice? The use and tendency of that virtue is to procure happiness and security, by preserving order in society: but where the society is ready to perish from extreme necessity, no greater evil can be dreaded from violence and injustice; and every man may now provide for himself by all the means, which prudence can dictate, or humanity permit. The public, even in less urgent necessities, opens granaries, without the consent of proprietors; as justly supposing, that the authority of magistracy may, consistent with equity, extend so far: but were any number of men to assemble, without the tie of laws or civil jurisdiction; would an equal partition of bread in a famine, though effected by power and even violence, be regarded as criminal or injurious?

Suppose likewise, that it should be a virtuous man's fate to fall into the society of ruffians, remote from the protection of laws and government; what conduct must he embrace in that melancholy situation? He sees such a desperate rapaciousness prevail; such a disregard to equity, such contempt of order, such stupid blindness to future consequences, as must immediately have the most tragical conclusion, and must terminate in destruction to the greater number, and in a total dissolution of society to the rest. He, meanwhile, can have no other expedient than to arm himself, to whomever the sword he seizes, or the buckler, may belong. To make provision of all means of defence and security: And his particular regard to justice being no longer of use to his own safety or that of others, he must consult the dictates of self-preservation alone, without concern for those who no longer merit his care and attention.

When any man, even in political society, renders himself by his crimes, obnoxious to the public, he is punished by the laws in his goods and person; that is, the ordinary rules of justice are, with regard to him, suspended for a moment, and it becomes equitable to inflict on him, for the *benefit* of society, what otherwise he could not suffer without wrong or injury.

The rage and violence of public war; what is it but a suspension of justice among the warring parties, who perceive, that this virtue is now no longer of any *use* or advantage to them? The laws of war, which then succeed to those of equity and justice, are rules calculated for the *advantage* and *utility* of that particular state, in which men are now placed. And were a civilized nation engaged with barbarians, who observed no rules even of war, the former must also suspend their observance of them, where they no longer serve to any pur-

pose; and must render every action or rencounter as bloody and pernicious as possible to the first aggressors.

Thus, the rules of equity or justice depend entirely on the particular state and condition in which men are placed, and owe their origin and existence to that utility, which results to the public from their strict and regular observance. Reverse, in any considerable circumstance, the condition of men: Produce extreme abundance or extreme necessity: Implant in the human breast perfect moderation and humanity, or perfect rapaciousness and malice: By rendering justice totally *useless*, you thereby totally destroy its essence, and suspend its obligation upon mankind.

The common situation of society is a medium amidst all these extremes. We are naturally partial to ourselves, and to our friends; but are capable of learning the advantage resulting from a more equitable conduct. Few enjoyments are given from the open and liberal hand of nature; but by art, labour, and industry, we can extract them in great abundance. Hence the ideas of property become necessary in all civil society: Hence justice derives its usefulness to the public: And hence alone arises its merit and moral obligation.

These conclusions are so natural and obvious, that they have not escaped even the poets, in their descriptions of the felicity attending the golden age or the reign of Saturn. The seasons, in that first period of nature, were so temperate, if we credit these agreeable fictions, that there was no necessity for men to provide themselves with clothes, and houses, as a security against the violence of heat and cold: The rivers flowed with wine and milk: The oaks yielded honey; and nature spontaneously produced her greatest delicacies. Nor were these the chief advantages of that happy age. Tempests were not alone removed from nature; but those more furious tempests were unknown to human breasts, which now cause such uproar, and engender such confusion. Avarice, ambition, cruelty, selfishness, were never heard of: Cordial affection, compassion, sympathy, were the only movements with which the mind was yet acquainted. Even the punctilious distinction of *mine* and *thine* was banished from among that happy race of mortals, and carried with it the very notion of property and obligation, justice and injustice.

This *poetical* fiction of the *golden age* is, in some respects, of a piece with the *philosophical* fiction of the *state of nature*; only that the former is represented as the most charming and most peaceable condition, which can possibly be imagined; whereas the latter is painted out as a state of mutual war and violence, attended with the most extreme necessity. On the first origin of mankind, we are told, their ignorance and savage nature were so prevalent, that they could give no mutual trust, but must each depend upon himself and his own force or cunning for protection and security. No law was heard

of: No rule of justice known: No distinction of property regarded: Power was the only measure of right; and a perpetual war of all against all was the result of men's untamed selfishness and barbarity.

Whether such a condition of human nature should ever exist, or if it did, could continue so long as to merit the appellation of a *state*, may justly be doubted. Men are necessarily born in a family-society, at least; and are trained up by their parents to some rule of conduct and behaviour. But this must be admitted, that, if such a state of mutual war and violence was ever real, the suspension of all laws of justice, from their absolute inutility, is a necessary and infallible consequence. . . .

Part II. . . . The dilemma seems obvious: As justice evidently tends to promote public utility and to support civil society, the sentiment of justice is either derived from our reflecting on that tendency, or like hunger, thirst, and other appetites, resentment, love of life, attachment to offspring, and other passions, arises from a simple original instinct in the human breast, which nature has implanted for like salutary purposes. If the latter be the case, it follows, that property, which is the object of justice, is also distinguished by a simple original instinct, and is not ascertained by any argument or reflection. But who is there that ever heard of such an instinct? Or is this a subject in which new discoveries can be made? We may as well expect to discover, in the body, new senses, which had before escaped the observation of all mankind.

But farther, though it seems a very simple proposition to say, that nature, by an instinctive sentiment, distinguishes property, yet in reality we shall find, that there are required for that purpose ten thousand different instincts, and these employed about objects of the greatest intricacy and nicest discernment. For when a definition of *property* is required, that relation is found to resolve itself into any possession acquired by occupation, by industry, by prescription, by inheritance, by contract, &c. Can we think that nature, by an original instinct, instructs us in all these methods of acquisition?

These words too, inheritance and contract, stand for ideas infinitely complicated; and to define them exactly, a hundred volumes of laws, and a thousand volumes of commentators, have not been found sufficient. Does nature, whose instincts in men are all simple, embrace such complicated and artificial objects, and create a rational creature, without trusting anything to the operation of his reason?

But even though all this were admitted, it would not be satisfactory. Positive laws can certainly transfer property. It is by another original instinct, that we recognize the authority of kings and senates, and mark all the boundaries of their jurisdiction? Judges too, even though their sentence be erroneous and illegal, must be allowed, for the sake of peace and order, to have decisive

authority, and ultimately to determine property. Have we original innate ideas of praetors and chancellors and juries? Who sees not, that all these institutions arise merely from the necessities of human society?

All birds of the same species in every age and country, built their nests alike: In this we see the force of instinct. Men, in different times and places, frame their houses differently: Here we perceive the influence of reason and custom. A like inference may be drawn from comparing the instinct of generation and the institution of property.

How great soever the variety of municipal laws, it must be confessed, that their chief out-lines pretty regularly concur; because the purposes, to which they tend, are everywhere exactly similar. In like manner, all houses have a roof and walls, windows and chimneys; though diversified in their shape, figure, and materials. The purposes of the latter, directed to the conveniences of human life, discover not more plainly their origin from reason and reflection, than do those of the former, which point all to a like end.

I need not mention the variations, which all the rules of property receive from the finer turns and connexions of the imagination, and from the subtilties and abstractions of law-topics and reasonings. There is no possibility of reconciling this observation to the notion of original instincts.

What alone will beget a doubt concerning the theory, on which I insist, is the influence of education and acquired habits, by which we are so accustomed to blame injustice, that we are not, in every instance, conscious of any immediate reflection on the pernicious consequences of it. The views the most familiar to us are apt, for that very reason, to escape us; and what we have very frequently performed from certain motives, we are apt likewise to continue mechanically, without recalling, on every occasion, the reflections, which first determined us. The convenience, or rather necessity, which leads to justice is so universal, and everywhere points so much to the same rules, that the habit takes place in all societies; and it is not without some scrutiny, that we are able to ascertain its true origin. The matter, however, is not so obscure, but that even in common life we have every moment recourse to the principle of public utility, and ask, *What must become of the world, if such practices prevail? How could society subsist under such disorders?* Were the distinction or separation of possessions entirely useless, can any one conceive, that it ever should have obtained in society?

Thus we seem, upon the whole, to have attained a knowledge of the force of that principle here insisted on, and can determine what degree of esteem or moral approbation may result from reflections on public interest and utility. The necessity of justice to the support of society is the sole foundation of that virtue; and since no moral excellence is more highly esteemed, we may

conclude that this circumstance of usefulness has, in general, the strongest energy, and most entire command over our sentiments. It must, therefore, be the source of a considerable part of the merit ascribed to humanity, benevolence, friendship, public spirit, and other social virtues of that stamp; as it is the sole source of the moral approbation paid to fidelity, justice, veracity, integrity, and those other estimable and useful qualities and principles. It is entirely agreeable to the rules of philosophy, and even of common reason; where any principle has been found to have a great force and energy in one instance, to ascribe to it a like energy in all similar instances. This indeed is Newton's chief rule of philosophizing. . . .

CONCERNING MORAL SENTIMENT

If the foregoing hypothesis be received, it will now be easy for us to determine the question first started, concerning the general principles of morals; and though we postpone the decision of that question, lest it should then involve us in intricate speculations, which are unfit for moral discourses, we may resume it at present, and examine how far either *reason* or *sentiment* enters into all decisions of praise or censure.

One principal foundation of moral praise being supposed to lie in the usefulness of any quality or action, it is evident that *reason* must enter for a considerable share in all decisions of this kind; since nothing but that faculty can instruct us in the tendency of qualities and actions, and point out their beneficial consequences to society and to their possessor. In many cases this is an affair liable to great controversy: doubts may arise; opposite interests may occur; and a preference must be given to one side, from very nice views, and a small overbalance of utility. This is particularly remarkable in questions with regard to justice; as is, indeed, natural to suppose, from that species of utility which attends this virtue. Were every single instance of justice, like that of benevolence, useful to society; this would be a more simple state of the case, and seldom liable to great controversy. But as single instances of justice are often pernicious in their first and immediate tendency, and as the advantage to society results only from the observance of the general rule, and from the concurrence and combination of several persons in the same equitable conduct; the case here becomes more intricate and involved. The various circumstances of society; the various consequences of any practice; the various interests which may be proposed; these, on many occasions, are doubtful, and subject to great discussion and inquiry. The object of municipal laws is to fix all the questions with regard to justice: the debates of civilians; the reflections of politicians; the precedents of history and public records, are all directed to the same purpose. And a very accurate *reason* or *judgement* is often requisite, to give the

true determination, amidst such intricate doubts arising from obscure or opposite utilities.

But though reason, when fully assisted and improved, be sufficient to instruct us in the pernicious or useful tendency of qualities and actions; it is not alone sufficient to produce any moral blame or approbation. Utility is only a tendency to a certain end; and were the end totally indifferent to us, we should feel the same indifference towards the means. It is requisite a *sentiment* should here display itself, in order to give a preference to the useful above the pernicious tendencies. This sentiment can be no other than a feeling for the happiness of mankind, and a resentment of their misery; since these are the different ends which virtue and vice have a tendency to promote. Here therefore *reason* instructs us in the several tendencies of actions, and *humanity* makes a distinction in favour of those which are useful and beneficial.

This partition between the faculties of understanding and sentiment, in all moral decisions, seems clear from the preceding hypothesis. But I shall suppose that hypothesis false: it will then be requisite to look out for some other theory that may be satisfactory; and I dare venture to affirm that none such will ever be found, so long as we suppose reason to be the sole source of morals. To prove this, it will be proper to weigh the five following considerations.

I. It is easy for a false hypothesis to maintain some appearance of truth, while it keeps wholly in generals, makes use of undefined terms, and employs comparisons, instead of instances. This is particularly remarkable in that philosophy, which ascribes the discernment of all moral distinctions to reason alone, without the concurrence of sentiment. It is impossible that, in any particular instance, this hypothesis can so much as be rendered intelligible, whatever specious figure it may make in general declamations and discourses. Examine the crime of *ingratitude*, for instance, which has place, wherever we observe good-will, expressed and known, together with good-offices performed, on the one side, and a return of ill-will or indifference, with ill-offices or neglect on the other: anatomize all these circumstances, and examine, by your reason alone, in what consists the demerit or blame. You never will come to any issue or conclusion.

Reason judges either of *matter of fact* or of *relations*. Enquire then, *first*, where is that matter of fact which we here call *crime*; point it out; determine the time of its existence; describe its essence or nature; explain the sense or faculty to which it discovers itself. It resides in the mind of the person who is ungrateful. He must, therefore, feel it, and be conscious of it. But nothing is there, except the passion of ill-will or absolute indifference. You cannot say that these, of themselves, always; and in all circumstances, are crimes. No, they are only crimes when directed towards persons who have before ex-

pressed and displayed good-will towards us. Consequently, we may infer, that the crime of ingratitude is not any particular individual *fact*; but arises from a complication of circumstances, which, being presented to the spectator, excites the *sentiment* of blame, by the particular structure and fabric of his mind.

This representation, you say, is false. Crime, indeed, consists not in a particular *fact*, of whose reality we are assured by *reason*; but it consists in certain *moral relations*, discovered by reason, in the same manner as we discover by reason the truths of geometry or algebra. But what are the relations, I ask, of which you here talk? In the case stated above, I see first good-will and good-offices in one person; then ill-will and ill-offices in the other. Between these, there is a relation of *contrariety*. Does the crime consist in that relation? But suppose a person bore me ill-will or did me ill-offices; and I, in return, were indifferent towards him, or did him good-offices. Here is the same relation of *contrariety*; and yet my conduct is often highly laudable. Twist and turn this matter as much as you will, you can never rest the morality on relation; but must have recourse to the decisions of sentiment.

When it is affirmed that two and three are equal to the half of ten, this relation of equality I understand perfectly. I conceive, that if ten be divided into two parts, of which one has as many units as the other; and if any of these parts be compared to two added to three, it will contain as many units as that compound number. But when you draw thence a comparison to moral relations, I own that I am altogether at a loss to understand you. A moral action, a crime, such as ingratitude, is a complicated object. Does the morality consist in the relation of its parts to each other? How? After what manner? Specify the relation: be more particular and explicit in your propositions, and you will easily see their falsehood.

No, say you, the morality consists in the relation of actions to the rule of right; and they are denominated good or ill, according as they agree or disagree with it. What then is this rule of right? In what does it consist? How is it determined? By reason, you say, which examines the moral relations of actions. So that moral relations are determined by the comparison of action to a rule. And that rule is determined by considering the moral relations of objects. Is not this fine reasoning?

All this is metaphysics, you cry. That is enough; there needs nothing more to give a strong presumption of falsehood. Yes, reply I, here are metaphysics surely; but they are all on your side, who advance on abstruse hypothesis, which can never be made intelligible, nor quadrate with any particular instance or illustration. The hypothesis which we embrace is plain. It maintains that morality is determined by sentiment. It defines virtue to be *whatever mental action or quality gives to a spectator the pleasing sentiment of approbation*;

and vice the contrary. We then proceed to examine a plain matter of fact, to wit, what actions have this influence. We consider all the circumstances in which these actions agree, and thence endeavour to extract some general observations with regard to these sentiments. If you call this metaphysics, and find anything abstruse here, you need only conclude that your turn of mind is not suited to the moral sciences.

II. When a man, at any time, deliberates concerning his own conduct (as, whether he had better, in a particular emergency, assist a brother or a benefactor), he must consider these separate relations, with all the circumstances and situations of the persons, in order to determine the superior duty and obligation; and in order to determine the proportion of lines in any triangle, it is necessary to examine the nature of that figure, and the relation which its several parts bear to each other. But notwithstanding this appearing similarity in the two cases, there is, at bottom, an extreme difference between them. A speculative reasoner concerning triangles or circles considers the several known and given relations of the parts of these figures, and thence infers some unknown relation, which is dependent on the former. But in moral deliberations we must be acquainted beforehand with all the objects, and all their relations to each other; and from a comparison of the whole, fix our choice or approbation. No new fact to be ascertained; no new relation to be discovered. All the circumstances of the case are supposed to be laid before us, ere we can fix any sentence of blame or approbation. If any material circumstance be yet unknown or doubtful, we must first employ our inquiry or intellectual faculties to assure us of it; and must suspend for a time all moral decision or sentiment. While we are ignorant whether a man were aggressor or not, how can we determine whether the person who killed him be criminal or innocent? But after every circumstance, every relation is known, the understanding has no further room to operate, nor any object on which it could employ itself. The approbation or blame which then ensues, cannot be the work of the judgement, but of the heart; and is not a speculative proposition or affirmation, but an active feeling or sentiment. In the disquisitions of the understanding, from known circumstances and relations, we infer some new and unknown. In moral decisions, all the circumstances and relations must be previously known; and the mind, from the contemplation of the whole, feels some new impression of affection or disgust, esteem or contempt, approbation or blame.

Hence the great difference between a mistake of *fact* and one of *right*; and hence the reason why the one is commonly criminal and not the other. When Oedipus killed Laius, he was ignorant of the relation, and from circumstances, innocent and involuntary, formed erroneous opinions concerning the action

which he committed. But when Nero killed Agrippina, all the relations between himself and the person, and all the circumstances of the fact, were previously known to him; but the motive of revenge, or fear, or interest, prevailed in his savage heart over the sentiments of duty and humanity. And when we express that detestation against him to which he himself, in a little time, became insensible, it is not that we see any relations, of which he was ignorant; but that, for the rectitude of our disposition, we feel sentiments against which he was hardened from flattery and a long perseverance in the most enormous crimes. In these sentiments then, not in a discovery of relations of any kind, do all moral determination consist. Before we can pretend to form any decision of this kind, everything must be known and ascertained on the side of the object or action. Nothing remains but to feel, on our part, some sentiment of blame or approbation; whence we pronounce the action criminal or virtuous.

III. This doctrine will become still more evident, if we compare moral beauty with natural, to which in many particulars it bears so near a resemblance. It is on the proportion, relation, and position of parts, that all natural beauty depends; but it would be absurd thence to infer, that the perception of beauty, like that of truth in geometrical problems, consists wholly in the perception of relations, and was performed entirely by the understanding or intellectual faculties. In all the sciences, our mind from the known relations investigates the unknown. But in all decisions of taste or external beauty, all the relations are beforehand obvious to the eye; and we thence proceed to feel a sentiment of complacency or disgust, according to the nature of the object, and disposition of our organs.

Euclid has fully explained all the qualities of the circle; but has not in any proposition said a word of its beauty. The reason is evident. The beauty is not a quality of the circle. It lies not in any part of the line, whose parts are equally distant from a common centre. It is only the effect which that figure produces upon the mind, whose peculiar fabric of structure renders it susceptible of such sentiments. In vain would you look for it in the circle, or seek it, either by your senses or by mathematical reasoning, in all the properties of that figure.

Attend to Palladio and Perrault, while they explain all the parts and proportions of a pillar. They talk of the cornice, and frieze, and base, and entablature and shaft and architrave; and give the description and position of each of these members. But should you asked the description and position of its beauty, they would readily reply, that the beauty is not in any of the parts or members of a pillar, but results from the whole, when that complicated figure is presented to an intelligent mind, susceptible to those finer sensations. Till such

a spectator appear, there is nothing but a figure of such particular dimensions and proportions: from his sentiments alone arise its elegance and beauty.

Again; attend to Cicero, while he paints the crimes of a Verres or a Catiline. You must acknowledge that the moral turpitude results, in the same manner, from the contemplation of the whole, when presented to a being whose organs have such a particular structure and formation. The orator may paint rage, insolence, barbarity on the one side; meekness, suffering, sorrow, innocence on the other. But if you feel no indignation or compassion arise in you from this complication of circumstances, you would in vain ask him, in what consists the crime or villainy, which he so vehemently exclaims against? At what time, or on what subject it first began to exist? And what has a few months afterwards become of it, when every disposition and thought of all the actors is totally altered or annihilated? No satisfactory answer can be given to any of these questions, upon the abstract hypothesis of morals; and we must at last acknowledge, that the crime or immorality is no particular fact or relation, which can be the object of the understanding, but arises entirely from the sentiment of disapprobation, which, by the structure of human nature, we unavoidably feel on the apprehension of barbarity or treachery.

IV. Inanimate objects may bear to each other all the same relations which we observe in moral agents; though the former can never be the object of love or hatred, nor are consequently susceptible of merit or iniquity. A young tree, which over-tops and destroys its parent, stands in all the same relations with Nero, when he murdered Agrippina; and if morality consisted merely in relations, would no doubt be equally criminal.

V. It appears evident that the ultimate ends of human actions can never, in any case, be accounted for by *reason*, but recommend themselves entirely to the sentiments and affections of mankind, without any dependence on the intellectual faculties. Ask a man *why he uses exercise*; he will answer, *because he desires to keep his health*. If you then enquire, *why he desires health*, he will readily reply, *because sickness is painful*. If you push your enquiries farther, and desire a reason *why he hates pain*, it is impossible he can ever give any. This is an ultimate end, and is never referred to any other object.

Perhaps to your second question, *why he desires health*, he may also reply, that *it is necessary for the exercise of his calling*. If you ask, *why he is anxious on that head*, he will answer, *because he desires to get money*. If you demand *Why? It is the instrument of pleasure*, says he. And beyond this is an absurdity to ask for a reason. It is impossible there can be a progress in *infinitem*; and that one thing can always be a reason why another is desired. Something must be desirable on its own account, and because of its immediate accord or agreement with human sentiment and affection.

Now as virtue is an end, and is desirable on its own account, without fee and reward, merely for the immediate satisfaction which it conveys; it is requisite that there should be some sentiment which it touches, some internal taste or feeling, or whatever you may please to call it, which distinguishes moral good and evil, and which embraces the one and rejects the other.

Thus the distinct boundaries and offices of *reason* and of *taste* are easily ascertained. The former conveys the knowledge of truth and falsehood: the latter gives the sentiment of beauty and deformity, vice and virtue. The one discovers objects as they really stand in nature, without addition or diminution: the other has a productive faculty, and gilding or staining all natural objects with the colours, borrowed from internal sentiment, raises in a manner a new creation. Reason being cool and disengaged, is no motive to action, and directs only the impulse received from appetite or inclination, by showing us the means of attaining happiness or avoiding misery: Taste, as it gives pleasure or pain, and thereby constitutes happiness or misery, becomes a motive to action, and is the first spring or impulse to desire and volition. From circumstances and relations, known or supposed, the former leads us to the discovery of the concealed and unknown: after all circumstances and relations are laid before us, the latter makes us feel from the whole a new sentiment of blame or approbation. The standard of the one, being founded on the nature of things, is eternal and inflexible, even by the will of the Supreme Being: the standard of the other, arising from the eternal frame and constitution of animals, is ultimately derived from that Supreme Will, which bestowed on each being its peculiar nature, and arranged the several classes and orders of existence.

XII

THE ENLIGHTENMENT: MORAL PRINCIPLES AND SOCIAL PROGRAMS

FREDERICK THE GREAT

THAT THE TENETS and ideals of the Enlightenment were not the exclusive property of those who believed in liberal constitutional government is indicated by the term "enlightened despotism," applied to the efforts of such rulers as Frederick II (king of Prussia, 1740-86), Catherine II (empress of Russia, 1762-96), and Joseph II of Austria (Holy Roman emperor, 1765-90). France's failure to temper despotism with sufficient enlightenment was directly related to the outbreak of the great Revolution in 1789. It has even been suggested that Napoleon, in building upon the remains of that Revolution his consulate and empire, was satisfying the most urgent demands of the French people in the manner of an eighteenth-century enlightened despot. Interpretations such as the latter are debatable, of course, but there is no doubt that kings as well as republicans were able to make use of the popular faith in reason, nature, and progress. If social betterment could result from the discovery of natural laws, why should not a prince as well as an assembly claim the authority to enforce obedience to those laws? Such a philosopher-king would not be a "despot" in the sense of being able to turn his whims into law. Subject himself to a kind of constitution dictated by nature, he would nevertheless be independent of parliamentary bodies and majority rule, like the leader of an orchestra, whose despotism consists in seeing that the musicians strike no false notes.

Support of this conception of kingship was widespread in the eighteenth century. Voltaire's famous friendship with Frederick II of Prussia and his lucrative toleration of Catherine the Great of Russia bear witness to the trend. Holbach, while anticipating eventual self-government, considered enlightened despotism an acceptable step in that direction. The Physiocratic economists looked to such a "legal despotism" for the carrying out of their projected reforms. Among the first generation of *philosophes*, Rousseau, with his democratic faith, was the exception rather than the rule.

Intellectually the apologists for enlightened despotism may be seen to occupy a kind of halfway house between the older absolutism and the parliamentary liberalism which was to be so popular in the nineteenth century. Institutionally the enlightened despots may be viewed as capping the long trend of dynastic state-building which since the fifteenth and sixteenth centuries had sought order and social peace at home and power in international relations, at the expense of considerable individual liberty. By the mid-eighteenth century, however, increased difficulties confronted absolutist kings such as Frederick the Great if they were to justify their positions by either words or deeds. Intensified national rivalries made efficiency more than ever the price of survival; yet if unity and power were to be maintained it was necessary to reconcile demands for reform, buttressed by the ideals of the Enlightenment, with the insistent claims of older vested interests—for example, the landed nobility of Frederick's Prussia. The resulting enlightened despotism, in the places where it existed, was by no means uniform in quality. In the case of Frederick the Great, for example, no fundamental reorganization of society was accomplished, and Prussia's old regime was frozen into the form

which it retained until the shock of defeat at the hands of Napoleon released a movement for reform.

With all his shortcomings, however, Frederick II remains an outstanding example of the way in which the Enlightenment could be fused with and used by political conservatism. Inheritor of a dynastic state strengthened and enlarged by his Hohenzollern ancestors, Frederick between 1740 and his death in 1786 carried on the tradition of state-building, externally by a series of wars against the Hapsburg empire and internally by unceasing efforts to improve agriculture, industry, commerce, taxation, bureaucratic administration, the army, and the judicial system. It would doubtless be an error to assume that Frederick's constructive labors were the result of his almost continuous contacts with the *philosophes*, through reading, conversations, and correspondence. There is little doubt, however, that these labors were undertaken in a spirit enlightened though not liberal, a spirit evidenced by Frederick's lifelong interests and by his numerous writings, of which the following essay, privately printed in 1777 and translated in 1789 by Thomas Holcroft, will serve as an example.



AN ESSAY ON FORMS OF GOVERNMENT

WE ARE ASTONISHED at imagining the human race so long existing in a brutal state, and without forming itself into societies. Reasons are accordingly suggested, such as might induce people like these to unite in bodies. It must have been the violence and pillage which existed, among neighbouring hordes, that could have first inspired such savage families with the wish of uniting, that they might secure their possessions by mutual defence. Hence laws took birth, which taught those societies to prefer the general to individual good. From that time, no person durst seize on the effects of another, because of the dread of chastisement. The life, the wife, and the wealth of a neighbour were sacred; and, if the whole society were attacked, it was the duty of the whole to assemble for its defence. The grand truth,—“That we should do unto others as they should do unto us”—became the principle of laws, and of the social compact. Hence originated the love of our country, which was regarded as the asylum of happiness.

But, as these laws could neither be maintained nor executed, unless some one should incessantly watch for their preservation, magistrates arose, out of this necessity, whom the people elected, and to whom they subjected themselves. Let it be carefully remembered that the preservation of the laws was the sole reasons which induced men to allow of, and to elect, a superior; because this is the true origin of sovereign power. The magistrate, thus appointed, was the first servant of the state. When rising states had any thing to fear

from their neighbours, the magistrate armed the people, and flew to the defence of the citizens.

That general instinct, in men, which leads them to procure for themselves the greatest possible happiness, occasioned the creation of various forms of government. Some imagined that, by confiding themselves to the guidance of a few sages, they should find this great happiness; hence the aristocratic form. Others preferred an oligarchy. Athens, and most of the Grecian republics, chose a democratical government. Persia, and the east, bowed beneath despotism. The Romans, for a time, had kings; but, weary of the tyranny of the Tarquins, they changed the monarchy into an aristocracy. Presently tired of the severity of the Patricians, who oppressed them by usury, the people left the city, and did not return to Rome till the senate had first approved the tribunes, elected by Plebeians for their defence against the power of the great. The people afterward rendered their authority almost supreme. Those who seized violently on government, and who, following the guidance of the passions and of caprice, reversed the laws and overturned those fundamental principles which had been established for the preservation of society, were denominated tyrants.

But, however sage the legislators, and those who first assembled the people in bodies were, however good their intentions might be, not one of these governments is found to have maintained its perfect integrity. And why? Because men are imperfect, consequently so are their works: because the citizens, employed by the prince, were blinded by individual interest, which always overthrows the general good and, in fine, because there is no stability on earth.

In aristocracies, the abuse which the principal members of the society make of their authority is the general cause of succeeding revolutions. The Roman democracy was destroyed by the people themselves. The blind multitude of the Plebeians suffered themselves to be corrupted by ambitious citizens, by whom they were afterward deprived of their liberty, and enslaved. This is what England has to dread, if the lower house of parliament should not prefer the true interest of the nation to that infamous corruption by which it is degraded.

As to monarchical government, of this there are various forms. The ancient feudal government, which some ages since was almost general in Europe, was established by the conquest of the Barbarians. The general of a horde rendered himself sovereign of the conquered country, and divided its provinces among his principal officers; who, it is true, were subject to the lord paramount, and who supplied him with troops when required; but, as some of these vassals became equally powerful with their chief, this formed state within state; and hence a series of civil wars, which were the misfortune of the whole. In Ger-

many, these vassals are become independent; in France, England, and Spain, they are suppressed. The only example that remains, of that abominable form of government, is the republic of Poland.

In Turkey, the sovereign is despotic: he may with impunity commit the most atrocious cruelties; but it also often happens, by a vicissitude common to barbarous nations, or from a just retribution, that he in his turn is strangled.

With respect to the true monarchical government, it is the best or the worst of all others, accordingly as it is administered.

We have remarked that men granted pre-eminence to one of their equals, in expectation that he should do them certain services. These services consisted in the maintenance of the laws; a strict execution of justice; an employment of his whole powers to prevent any corruption of manners; and defending the state against its enemies. It is the duty of this magistrate to pay attention to agriculture; it should be his care that provisions for the nation should be in abundance, and that commerce and industry should be encouraged. He is a perpetual sentinel, who must watch the acts and the conduct of the enemies of the state. His foresight and prudence should form timely alliances, which should be made with those who might most conduce to the interest of the association.

By this short abstract, the various branches of knowledge, which each article in particular requires, will be perceived. To this must be added a profound study of the local situation of the country, which it is the magistrate's duty to govern, and a perfect knowledge of the genius of the nation; for the sovereign who sins through ignorance is as culpable as he who sins through malice: the first is the guilt of idleness, the latter of a vicious heart; but the evil that results to society is the same.

Princes and monarchs, therefore, are not invested with supreme authority that they may, with impunity, riot in debauchery and voluptuousness. They are not raised by their fellow citizens in order that their pride may pompously display itself, and contemptuously insult simplicity of manners, poverty and wretchedness. Government is not intrusted to them that they may be surrounded by a crowd of useless people, whose idleness engenders every vice.

The ill administration of monarchical government originates in various causes, the source of which is in the character of the sovereign. Thus a prince addicted to women suffers himself to be governed by his mistresses, and his favourites, who abuse the ascendancy they have over his mind, commit injustice, protect the most vicious, sell places, and are guilty of other similar acts of infamy. If the prince, through debility, should abandon the helm of the state to mercenary hands, I mean to ministers, in that case, each having different views, no one proceeds on general plans: the new minister fritters

away what he finds already established, however excellent that may be, to acquire the character of novelty, and execute his own schemes, generally to the detriment of the public good. His successors do the like; they destroy and overturn with equal want of understanding, that they may be supposed to possess originality. Hence that succession of change and variation which allows no project time to take root; hence confusion, disorder, and every vice of a bad administration. Prevaricators have a ready excuse; they shelter their turpitude under these perpetual changes.

Men attach themselves to that which appertains to them, and the state does not appertain to these ministers, for which reason they have not its real good at heart; business is carelessly executed, and with a kind of stoic indifference; and hence results the decay of justice, and the ill administration of the finances and the military. From a monarchy, as it was, the government degenerates into a true aristocracy, in which ministers and generals conduct affairs, according to their own fancies. There is no longer any comprehensive system; each pursues his own plans, and the central point, the point of unity, is lost. As all the wheels of a watch correspond to effect the same purpose, which is that of measuring time, so ought the springs of government to be regulated, that all the different branches of administration may equally concur to the greatest good of the state; an important object, of which we ought never to lose sight.

We may add, the personal interest of ministers and generals usually occasions them to counteract each other without ceasing, and sometimes to impede the execution of the best plans, because they had not been conceived by themselves. But the evil is at its utmost, when perverse minds are able to persuade the sovereign that his welfare and the public good are two things. The monarch then becomes the enemy of his people, without knowing why; is severe, rigorous, and inhuman, from mistake; for, the principle on which he acts being false, the consequences must necessarily be the same.

The sovereign is attached by indissoluble ties to the body of the state; hence it follows that he, by repercussion, is sensible of all the ills which afflict his subjects; and the people, in like manner, suffer from the misfortunes which affect their sovereign. There is but one general good, which is that of the state. If the monarch lose his provinces, he is no longer able as formerly to assist his subjects. If misfortune have obliged him to contract debts, they must be liquidated by the poor citizens; and, in return, if the people are not numerous, and if they are oppressed by poverty, the sovereign is destitute of all resource. These are truths so incontestable that there is no need to insist on them further.

I once more repeat, the sovereign represents the state; he and his people form but one body, which can only be happy as far as united by concord. The prince is to the nation he governs what the head is to the man; it is his duty

to see, think, and act for the whole community, that he may procure it every advantage of which it is capable. If it be intended that a monarch should excel a republican government, sentence is pronounced on the sovereign. He must be active, possess integrity, and collect his whole powers, that he may be able to run the career he has commenced. Here follow my ideas concerning his duties.

He ought to procure exact and circumstantial information of the strength and weakness of his country, as well relative to pecuniary resources as to population, finance, trade, laws, and the genius of the nation whom he is appointed to govern. If the laws are good they will be clear in their definitions; otherwise, chicanery will seek to elude their spirit to its advantage, and arbitrarily and irregularly determine the fortunes of individuals. Law-suits ought to be as short as possible, to prevent the ruin of the appellants, who consume in useless expences what is justly and duly their right. This branch of government cannot be too carefully watched, that every possible barrier may be opposed to the avidity of judges and counsellors. Every person is kept within the limits of their duty, by occasional visits into the provinces. Whoever imagines himself to be injured will venture to make his complaints to the commission; and those who are found to be prevaricators ought to be severely punished. It is perhaps superfluous to add that the penalty ought never to exceed the crime; that violence never ought to supersede law; and that it were better the sovereign should be too merciful than too severe.

As every person who does not proceed on principle is inconsistent in his conduct, it is still more necessary that the magistrate who watches over the public good should act from a determinate system of politics, war, finance, commerce, and law. Thus, for example, a people of mild manners ought not to have severe laws, but such as are adapted to their character. The basis of such systems ought always to be correspondent to the greatest good society can receive. Their principles ought to be conformable to the situation of the country, to its ancient customs, if they are good, and to the genius of the nation.

As an instance, it is a known truth, in politics, that the most natural allies, and consequently the best, are those whose interests concur, and who are not such near neighbours as to be engaged in any contest respecting frontiers. It sometimes happens that strange accidents give place to extraordinary alliances. We have seen, in the present times, nations that had always been rivals, and even enemies, united under the same banners. But these are events that rarely take birth, and which never can serve as examples. Such connections can be no more than momentary; whereas the other kind, which are contracted from a unity of interests, are alone capable of exertion. In the present

situation of Europe, when all her princes are armed, and among whom preponderating powers rise up capable of crushing the feeble, prudence requires alliances should be formed with other powers, as well to secure aid, in case of attack, as to repress the dangerous projects of enemies, and to sustain all just pretensions, by the succour of such allies, in opposition to those by whom they are controverted.

Nor is this sufficient. It is necessary to have among our neighbours, especially among our enemies, eyes and ears which shall be open to receive, and report with fidelity, what they have seen and heard. Men are wicked. Care must especially be taken not to suffer surprise, because whatever surprises intimidates and terrifies, which never happens when preparations are made, however vexatious the event may be which there is reason to expect. European politics are so fallacious that the most sage may become dupes, if they are not always alert, and on their guard.

The military system ought, in like manner, to rest on good principles, which from experience are known to be certain. The genius of the nation ought to be understood; of what it is capable, and how far its safety may be risked by leading it against the enemy. The warlike customs of the Greeks and Romans are interdicted, in these ages. The discovery of gunpower has entirely changed the mode of making war. A superiority of fire at present decides the day. Discipline, rules, and tactics have all been changed, in order that they may conform to this new custom; and the recent and enormous abuse of numerous trains of artillery, which incumber armies, obliges others, in like manner, to adopt this method; as well to maintain themselves in their posts as to attack the foe in those which they shall occupy, should reasons of importance so require. . . .

There are states which, from their situation and constitution, must be maritime powers: such are England, Holland, France, Spain, and Denmark. They are surrounded by the sea, and the distant colonies which they possess oblige them to keep a marine, to maintain communication and trade between the mother country and these detached members. There are other states, such as Austria, Poland, Prussia, and even Russia, some of which may well do without shipping; and others that would commit an unpardonable fault, in politics, were they to divide their forces by employing a part of their troops at sea, of the services of which they indispensably stand in need by land.

The number of troops which a state maintains ought to be in proportion to the troops maintained by its enemies. Their force should be equal, or the weakest is in danger of being oppressed. It perhaps may be objected that a king ought to depend on the aid of his allies. The reasoning would be good were allies what they ought to be; but their zeal is only lukewarm; and he who shall

depend upon another as upon himself will most certainly be deceived. If frontiers permit them to be defended by fortresses, there must be no neglect in building, nor any expense spared to bring them to perfection. Of this France has given an example, and she has found the advantage of it on different occasions.

But neither politics nor the army can prosper if the finances are not kept in the greatest order, and if the prince himself be not a prudent economist. Money is like the wand of the necromancer, for by its aid miracles are performed. Grand political views, the maintenance of the military, and the best conceived plans for the ease of the people, will all remain in a lethargic state, if not animated by money. The economy of the sovereign is the more useful to the public good, because if he have not sufficient funds in reserve, either to supply the expenses of war, without loading his people with extraordinary taxes, or to succour citizens in times of public calamity, all these burthens will fall on the subjects, who will be without the resources, in such unhappy times, of which they will then stand in the most need.

No government can exist without taxation, which is equally necessary to the republic and to the monarchy. The sovereign who labours in the public cause must be paid by the public; the judge the same, that he may have no need to prevaricate. The soldier must be supported that he may commit no violence, for want of having whereon to subsist. In like manner, it is necessary that those persons who are employed in collecting the finances should receive such salaries as may not lay them under any temptation to rob the public. These various expenses demand very considerable sums, and to these must still be added money that should only be laid apart to serve for extraordinary exigences. This money must all be necessarily levied on the people; and the grand art consists in levying so as not to oppress. That taxes may be equally and not arbitrarily laid on, surveys and registers should be made, by which, if the people are properly classed, the money will be proportionate to the income of the persons paying. This is a thing so necessary that it would be an unpardonable fault, in finance, if ill-imposed taxes should disgust the husbandman with his labours. Having performed his duties; it is afterward necessary he and his family should live in a certain degree of ease. Far from oppressing the nursing fathers of the state, they ought to be encouraged in the cultivation of the lands; for in this cultivation the true riches of a country consists. . . .

Excise is another species of taxes, levied on cities, and this must be managed by able persons; otherwise, those provisions which are most necessary to life, such as bread, small beer, meat, &c, will be overloaded; and the weight will fall on the soldier, the labourer, and the artizan. The result will be, unhappily to

the people, that the price of labour will be raised; consequently merchandize will become so dear as not to be saleable in foreign markets. . . . To obviate such inconveniences, the sovereign ought frequently to remember the condition of the poor, to imagine himself in the place of the peasant or the manufacturer, and then to say, "Were I born one among the class of citizens whose labours constitute the wealth of the state, what should I require from the king?" The answer which, on such a supposition, good sense would suggest it is his duty to put in practice.

In most of the kingdoms of Europe there are provinces in which the peasants are attached to the glebe, or are serfs to their lords. This, of all conditions, is the most unhappy, and that at which humanity most revolts. No man certainly was born to be the slave of his equal. We reasonably detest such an abuse; and it is supposed that nothing more than will is wanting to abolish so barbarous a custom. But this is not true; it is held on ancient tenures, and contracts made between the landholders and the colonists. Tillage is regulated according to the service performed by the peasantry; and whoever should suddenly desire to abolish this abominable administration would entirely overthrow the mode of managing estates, and must be obliged, in part, to indemnify the nobility for the losses which their rents must suffer.

The state of manufactures and of trade, an article no less important, next presents itself. For the country to be preserved in prosperity, it is indubitably necessary that the balance of trade should be in its favour. If it pay more for importation than it gains by exportation, the result will be that it will be annually impoverished. Let us suppose a purse in which there are a hundred ducats, from which let us daily take one, and put none in, and every body will allow that in a hundred days the purse will be empty. The means to avoid incurring any such loss are to work up all raw materials of which the country is in possession, and to manufacture foreign raw materials, that the price of labour may be gained, in order to procure a foreign market.

Three things are to be considered in respect to commerce: first the surplus of native products which are exported; next the products of foreign states, which enrich those by whom they are carried; and thirdly foreign merchandize, which home consumption obliges the state to import. The trade of any kingdom must be regulated according to these three articles, for of these only is it susceptible, according to the nature of things. England, Holland, France, Spain, and Portugal, have possessions in the two Indies, and more extensive resources for their merchant ships than other kingdoms. To profit by such advantages as we are in possession of, and to undertake nothing beyond our strength, is the advice of wisdom. . . .

We shall now speak of another article, which perhaps is equally interesting.

There are few countries in which the people are all of one religious opinion; they often totally differ. There are some who are called sectaries. The question then is started—Is it requisite that the people should all think alike, or may each one be allowed to think as he pleases? Gloomy politicians will tell us every body ought to be of the same opinion, that there may be no division among the citizens. The priests will add whoever does not think like me is damned, and it is by no means proper that my king should be the king of the damned. The inevitable deduction is they must be destroyed in this world, that they may be the more prosperous in the next.

To this it is answered that all the members of one society never thought alike; that, among Christian nations, the majority are Anthropomorphites; that, among the Catholics, most of the people are idolaters, for I shall never be persuaded that a clown is capable of distinguishing between *Latria* and *Hyperdulia*. He simply and really adores the image he invokes. Therefore there are a number of heretics in all Christian sects. What is more, each man believes that which appears to him to be truth. A poor wretch may be constrained to pronounce a certain form of prayer, although he inwardly refuse his consent. His persecutor consequently has gained nothing. But, if we revert to the origin of all society, it will be found evident that the sovereign has no right to interfere in the belief of the subject. Would it not be madness to imagine men who have said to another man, their equal, "We raise you to be our superior, because we are in love with slavery; and we bestow on you the power of directing our thoughts, according to your will?" On the contrary, they have said, "We have need of you for the maintenance of those laws which we are willing to obey, and that we may be wisely governed and defended; but we also require that you should respect our freedom." This is the sentence pronounced, and it is without appeal. Nay, tolerance is itself so advantageous, to the people among whom it is established, that it constitutes the happiness of the state. As soon as there is that perfect freedom of opinion, the people are all at peace; whereas persecution has given birth to the most bloody civil wars, and such as have been the most inveterate and the most destructive. The least evil that results from persecution is to occasion the persecuted to emigrate. The population of France has suffered in certain provinces, and those provinces still are sensible to the revocation of the edict of Nantes.

Such are in general the duties imposed upon a prince, from which, in order that he may never depart, he ought often to recollect he himself is but a man, like the least of his subjects. If he be the first general, the first minister of the realm, it is not that he should remain the shadow of authority, but that he should fulfill the duties of such titles. He is only the first servant of the state, who is obliged to act with probity and prudence; and to remain as totally

disinterested as if he were each moment liable to render an account of his administrations to his fellow citizens.

Thus he is culpable, if he be prodigal of the money of the people, dispersing the produce of the taxes in luxury, pomp, or licentiousness. It is for him to watch over morals, which are the guardians of the laws, and to improve the national education, and not pervert it by ill examples. One of the most important objects is the preservation of good morals, in all their purity; to which the sovereign may greatly contribute, by distinguishing and rewarding those citizens who have performed virtuous actions, and testifying his contempt for such as are so depraved as not to blush at their own disorders. The prince ought highly to disapprove of every dishonest act, and refuse distinctions to men who are incorrigible.

There is another interesting object which ought not to be lost sight of, and which, if neglected, would be of irreparable prejudice to good morality; which is that princes are liable too highly to notice persons who are possessed of no other merit than that of great wealth. Honours, so undeservedly bestowed, confirm the people in the vulgar prejudice that wealth, only, is necessary to gain respect. Interest and cupidity will then break forth from the curb by which they are restrained. Each will wish to accumulate riches; and, to acquire these, the most iniquitous means will be employed. Corruption increases, takes root, and becomes general. Men of abilities and virtue are despised, and the public honour none but the bastards of Midas, who dazzle by their excessive dissipation and their pomp. To prevent national manners from being perverted to an excess so horrible, the prince ought to be incessantly attentive to distinguish nothing but personal merit, and to show his contempt for that opulence which is destitute of morals and of virtue.

As the sovereign is properly the head of a family of citizens, the father of his people, he ought on all occasions to be the last refuge of the unfortunate; to be the parent of the orphan, and the husband of the widow; to have as much pity for the lowest wretch as for the greatest courtier; and to shed his benefactions over those who, deprived of all other aid, can only find succour in his benevolence.

Such, according to the principles which we established at the beginning of this Essay, is the most accurate conception we can form of the duties of a sovereign, and the only manner which can render monarchical government good and advantageous. Should the conduct of many princes be found different, it must be attributed to their having reflected but little on their institution, and its derivatory duties. They have borne a burthen with the weight and importance of which they were unacquainted, and have been misled from the want of knowledge; for in our times ignorance commits more faults than

vice. Such a sketch of sovereignty will perhaps appear to the censorious the archetype of the Stoics; an ideal sage, who never existed except in imagination, and to whom the nearest approach was Marcus Aurelius. We wish this feeble Essay were capable of forming men like Aurelius; it would be the highest reward we could possibly expect, at the same time that it would conduce to the good of mankind.

BARON DE MONTESQUIEU

BY TEMPERAMENT retiring and conservative, Charles Louis de Secondat (1689–1755), baron de Montesquieu, was not an active participant in practical public life. In France, and even more in England, his celebrity was due almost entirely to his literary production. A jurist by training and inheritance, and a magistrate in the Parlement of Guienne seated at Bordeaux, the respect he commanded among the *philosophes* of the Enlightenment was especially striking. In spite of the fact that Montesquieu was hardly one of them in social background, temper of mind, or political and religious inclinations, the *philosophes* looked to him as the most important precursor of the wave of political critiques that swept over France after 1748. In the first half of the century, Montesquieu was (with the exception of the visionary Abbé de Saint-Pierre) the most explicit of those who spoke out openly against the specifically political, rather than the clerical, institutions of the Old Regime. Most of the historical works and the tales of travelers which were fashionable in the early part of the century had reference to French conditions, but on the whole these references were oblique, and where critiques of French society were unmistakably direct they were predominantly anticlerical. The at once witty and serious Montesquieu stood out because of his criticism (moderate as it was) of the political absolutism of the Bourbon dynasty.

At least three motives impelled Montesquieu's lifelong inquiry into politics. At various points his *The Spirit of Laws* (1748) expresses the desire of sections of the nobility to limit the absolute power of the Bourbons by restoring the lost medieval constitution of France. Since the time of Richelieu the continuing and largely successful attempt of the royal court had been to limit the activities of the French nobility to being (as Voltaire said) "the whipped cream of Europe." Against this process many French noblemen made gestures, more or less impotent. The most effective expressions of resistance were made by the Parlement of Paris, which periodically delayed the registering of royal edicts. These "dirty little black-gowned scoundrels" (as Voltaire called them) expressed the sentiments of a class which no longer occupied an integral part in the structure of French absolutism, but which nevertheless was an agent in the fomenting of the widespread popular discontent with absolutism that culminated finally in the French Revolution.

Montesquieu's belief in the importance of constitutional government for political liberty came in part from his nostalgia for the medieval French constitution which had protected local government, the parlements, and the position of the nobility. This conviction was strengthened by Montesquieu's admiration for the ancient (and idealized) Roman Republic, and took on contemporary import in his experience of living under the British Constitution. With his own preconceptions about what such a constitution ought to be reinforced by his reading of Locke and Harrington, Montesquieu misread the meaning of the constitutional settlement of 1688, which had given supreme power to Parliament. The British Constitution, as Montesquieu idealized it, was characterized by its ingenious system of checks and balances, which placed effective restraints on the tyranny of a despotic monarch,

on the one hand, and of an unruly mob, on the other. The British Constitution, interpreted in this way, formed a second important motive impelling Montesquieu's inquiries.

A third important tendency influencing Montesquieu was the pervasive force of the Cartesian tradition. Montesquieu inherited the passion of the Cartesians for introducing into other fields the same simplicity and systematic character that characterized the order of the physical world. His political investigations were originally the attempt to get at the *spirit* of the laws, that is, to subsume under infallible and universal principles the particular customs and enactments of various nations. The first chapter of *The Spirit of Laws* is an illustration of this plan.

Montesquieu's powers took him beyond the execution of such a confining plan, however. Despite his rationalist preconceptions, the main body of his work was devoted to the empirical description of various polities, many of them remote in time and place. In the last analysis, the "spirit" Montesquieu detected in the laws was not the universal law of nature beloved by political scientists, but rather the peculiar fittingness with which the laws were adapted to diverse and complex conditions in a country, such as climate, soil, and popular temperament.

Montesquieu was on the whole exceptional among his contemporaries, and he was hardly one of the *philosophes* who set the intellectual tone of the century. His predominant interest was in a philosophy of politics that might exhibit the diversity of facts, and not in one elaborated into a system in support of a particular political program. What practical program he did have, moreover, contrasted sharply with that of the *philosophes*. If he represented anyone, it was the uprooted nobility, and he looked to the return of the medieval "Gothic Constitution" for the restoration of "traditional" French liberties. The *philosophes*, on the other hand, spoke for the class of creditors that finally called the Bourbon dynasty to an accounting, and they had little faith in a constitutional tradition which the absolute monarchy had succeeded quite effectively in killing. To be sure, Montesquieu and the *philosophes* were alike in their admiration of British politics, and in their conviction that its best aspects might be imported into France without the necessity of using the British Constitution. Most of the *philosophes*, however, did not take the need of any constitution seriously, and looked instead to an absolute and enlightened monarch, who would rule with the book of Nature open before him.

Consequently, Montesquieu's influence was not so immediately felt among the French as it was among the English, who found in his description of their Constitution the kind of "mixed" government which many of them wanted to believe existed in England. It was only after the perseverance of the Bourbons had convinced the French that enlightenment required legal enactment that Montesquieu became influential among his own countrymen. After 1789 they turned to him for suggestions about the practical administrative affairs that plagued the new constitutional monarchy. In America, Montesquieu was found by the formulators of the Constitution to have been motivated by the same twin fears which lay behind their work, and he was an important source of the system of checks and balances by which the Constitution attempted to prevent both tyranny and mob rule.

The following selections are from the translation from the French by Thomas Nugent.



THE SPIRIT OF LAWS

Book I: Of Laws in General

I. OF THE RELATION OF LAWS TO DIFFERENT BEINGS

LAWS, in their most general signification, are the necessary relations arising from the nature of things. In this sense all beings have their laws: the Deity His laws, the material world its laws, the intelligences superior to man their laws, the beasts their laws, man his laws.

They who assert that a blind fatality produced the various effects we behold in this world talk very absurdly; for can any thing be more unreasonable than to pretend that a blind fatality could be productive of intelligent beings?

There is, then, a prime reason; and laws are the relations subsisting between it and different beings, and the relations of these to one another.

God is related to the universe, as Creator and Preserver; the laws by which He created all things are those by which He preserves them. He acts according to these rules, because He knows them; He knows them, because He made them; and He made them, because they are in relation of His Wisdom and power.

Since we observe that the world, though formed by the motion of matter, and void of understanding, subsists through so long a succession of ages, its motions must certainly be directed by invariable laws; and could we imagine another world, it must also have constant rules, or it would inevitably perish.

Thus the creation, which seems an arbitrary act, supposes laws as invariable as those of the fatality of the Atheists. It would be absurd to say that the Creator might govern the world without those rules, since without them it could not subsist.

These rules are a fixed and invariable relation. In bodies moved, the motion is received, increased, diminished, or lost, according to the relations of the quantity of matter and velocity; each diversity is uniformity, each change is constancy.

Particular intelligent beings may have laws of their own making, but they have some likewise which they never made. Before there were intelligent beings, they were possible; they had therefore possible relations, and con-

sequently possible laws. Before laws were made, there were relations of possible justice. To say that there is nothing just or unjust but what is commanded or forbidden by positive laws, is the same as saying that before the describing of a circle all the radii were not equal.

We must therefore acknowledge relations of justice antecedent to the positive law by which they are established: as, for instance, if human societies existed, it would be right to conform to their laws; if there were intelligent beings that had received a benefit of another being, they ought to show their gratitude; if one intelligent being had created another intelligent being, the latter ought to continue in its original state of dependence; if one intelligent being injures another, it deserves a retaliation; and so on.

But the intelligent world is far from being so well governed as the physical. For though the former has also its laws, which of their own nature are invariable, it does not conform to them so exactly as the physical world. This is because, on the one hand, particular intelligent beings are of a finite nature, and consequently liable to error; and on the other, their nature requires them to be free agents. Hence they do not steadily conform to their primitive laws; and even those of their own instituting they frequently infringe.

Whether brutes be governed by the general laws of motion, or by a particular movement, we cannot determine. Be that as it may, they have not a more intimate relation to God than the rest of the material world; and sensation is of no other use to them than in the relation they have either to other particular beings or to themselves.

By the allurements of pleasure they preserve the individual, and by the same allurements they preserve their species. They have natural laws, because they are united by sensation; positive laws they have none, because they are not connected by knowledge. And yet they do not invariably conform to their natural laws; these are better observed by vegetables, that have neither understanding nor sense.

Brutes are deprived of the high advantages which we have; but they have some which we have not. They have not our hopes, but they are without our fears; they are subject like us to death, but without knowing it; even most of them are more attentive than we to self-preservation, and do not make so bad a use of their passions.

Man, as a physical being, is like other bodies governed by invariable laws. As an intelligent being, he incessantly transgresses the laws established by God, and changes those of his own instituting. He is left to his private direction, though a limited being, and subject, like all finite intelligences, to ignorance and error: even his imperfect knowledge he loses; and as a sensible creature, he is hurried away by a thousand impetuous passions. Such a being might

every instant forget his Creator; God has therefore reminded him of his duty by the laws of religion. Such a being is liable every moment to forget himself; philosophy has provided against this by the laws of morality. Formed to live in society, he might forget his fellow-creatures; legislators have, therefore, by political and civil laws, confined him to his duty.

II. OF THE LAWS OF NATURE

Antecedent to the above-mentioned laws are those of nature, so called, because they derive their force entirely from our frame and existence. In order to have a perfect knowledge of these laws, we must consider man before the establishment of society: the laws received in such a state would be those of nature.

The law which, impressing on our minds the idea of a Creator, inclines us towards Him, is the first in importance, though not in order, of natural laws. Man in a state of nature would have the faculty of knowing, before he had acquired any knowledge. Plain it is that his first ideas would not be of a speculative nature; he would think of the preservation of his being, before he would investigate its origin. Such a man would feel nothing in himself at first but impotency and weakness; his fears and apprehensions would be excessive; as appears from instances (were there any necessity of proving it) of savages found in forests, trembling at the motion of a leaf, and flying from every shadow.

In this state every man, instead of being sensible of his equality, would fancy himself inferior. There would, therefore, be no danger of their attacking one another; peace would be the first law of nature.

The natural impulse or desire which Hobbes attributes to mankind of subduing one another is far from being well founded. The idea of empire and dominion is so complex, and depends on so many other notions, that it could never be the first which occurred to the human understanding.

Hobbes inquires, "For what reason go men armed, and have locks and keys to fasten their doors, if they be not naturally in a state of war?" But is it not obvious that he attributes to mankind before the establishment of society what can happen but in consequence of this establishment, which furnishes them with motives for hostile attacks and self-defence?

Next to a sense of his weakness man would soon find that of his wants. Hence another law of nature would prompt him to seek for nourishment.

Fear, I have observed, would induce men to shun one another; but the marks of this fear being reciprocal, would soon engage them to associate. Besides, this association would quickly follow from the very pleasure one animal feels at the approach of another of the same species. Again, the attraction arising

from the difference of sexes would enhance this pleasure, and the natural inclination they have for each other would form a third law.

Besides the sense or instinct which man possesses in common with brutes, he has the advantage of acquired knowledge; and thence arises a second tie, which brutes have not. Mankind have, therefore, a new motive of uniting; and a fourth law of nature results from the desire of living in society.

III. OF POSITIVE LAWS

As soon as man enters into a state of society he loses the sense of his weakness; equality ceases, and then commences the state of war.

Each particular society begins to feel its strength, whence arises a state of war between different nations. The individuals likewise of each society become sensible of their force; hence the principal advantages of this society they endeavor to convert to their own emolument, which constitutes a state of war between individuals.

These two different kinds of states give rise to human laws. Considered as inhabitants of so great a planet, which necessarily contains a variety of nations, they have laws relating to their mutual intercourse, which is what we call the law of nations. As members of a society that must be properly supported, they have laws relating to the governors and the governed, and this we distinguish by the name of politic law. They have also another sort of laws, as they stand in relation to each other; by which is understood the civil law.

The law of nations is naturally founded on this principle, that different nations ought in time of peace to do one another all the good they can, and in time of war as little injury as possible, without prejudicing their real interests.

The object of war is victory; that of victory is conquest; and that of conquest preservation. From this and the preceding principle all those rules are derived which constitute the law of nations.

All countries have a law of nations, not excepting the Iroquois themselves, though they devour their prisoners: for they send and receive ambassadors, and understand the rights of war and peace. The mischief is that their law of nations is not founded on true principles.

Besides the law of nations relating to all societies, there is a polity or civil constitution for each particularly considered. No society can subsist without a form of government. "The united strength of individuals," as Gravina¹ well observes, "constitutes what we call the body politic."

The general strength may be in the hands of a single person, or of many. Some think that nature having established paternal authority, the most natural

¹ [An Italian poet and jurist (1664-1718).]

government was that of a single person. But the example of paternal authority proves nothing. For if the power of a father relates to a single government, that of brothers after the death of a father, and that of cousins-german after the decease of brothers, refer to a government of many. The political power necessarily comprehends the union of several families.

Better is it to say that the government most conformable to nature is that which best agrees with the humor and disposition of the people in whose favor it is established.

The strength of individuals cannot be united without a conjunction of all their wills. "The conjunction of those wills," as Gravina again very justly observes, "is what we call the civil state."

Law in general is human reason, inasmuch as it governs all the inhabitants of the earth: the political and civil laws of each nation ought to be only the particular cases in which human reason is applied.

They should be adapted in such a manner to the people for whom they are framed that it should be a great chance if those of one nation suit another.

They should be in relation to the nature and principle of each government: whether they form it, as may be said of politic laws; or whether they support it, as in the case of civil institutions.

They should be in relation to the climate of each country, to the quality of its soil, to its situation and extent, to the principal occupation of the natives, whether husbandmen, huntsmen, or shepherds: they should have relation to the degree of liberty which the constitution will bear; to the religion of the inhabitants, to their inclinations, riches, numbers, commerce, manners, and customs. In fine, they have relations to each other, as also to their origin, to the intent of the legislator, and to the order of things on which they are established; in all of which different lights they ought to be considered.

This is what I have undertaken to perform in the following work. These relations I shall examine, since all these together constitute what I call the Spirit of Laws.

I have not separated the political from the civil institutions, as I do not pretend to treat of laws, but of their spirit; and as this spirit consists in the various relations which the laws may bear to different objects, it is not so much my business to follow the natural order of laws as that of these relations and objects.

I shall first examine the relations which laws bear to the nature and principle of each government; and as this principle has a strong influence on laws, I shall make it my study to understand it thoroughly: and if I can but once establish it, the laws will soon appear to flow thence as from their source. I shall proceed afterwards to other and more particular relations.

*Book XI: Of the Laws Which Establish Political Liberty
with Regard to the Constitution*

I. A GENERAL IDEA

I make a distinction between the laws that establish political liberty as it relates to the constitution, and those by which it is established as it relates to the citizen. The former shall be the subject of this book; the latter I shall examine in the next.

II. DIFFERENT SIGNIFICATIONS OF THE WORD LIBERTY

There is no word that admits of more various significations, and has made more varied impressions on the human mind, than that of liberty. Some have taken it as a means of deposing a person on whom they had conferred a tyrannical authority; others for the power of choosing a superior whom they are obliged to obey; others for the right of bearing arms, and of being thereby enabled to use violence; others, in fine, for the privilege of being governed by a native of their own country, or by their own laws. A certain nation for a long time thought liberty consisted in the privilege of wearing a long beard. Some have annexed this name to one form of government exclusive of others: those who had a republican taste applied it to this species of polity; those who liked a monarchical state gave it to monarchy. Thus they have all applied the name of liberty to the government most suitable to their own customs and inclinations: and as in republics the people have not so constant and so present a view of the causes of their misery, and as the magistrates seem to act only in conformity to the laws, hence liberty is generally said to reside in republics, and to be banished from monarchies. In fine, as in democracies the people seem to act almost as they please, this sort of government has been deemed the most free, and the power of the people has been confounded with their liberty.

III. IN WHAT LIBERTY CONSISTS

It is true that in democracies the people seem to act as they please; but political liberty does not consist in an unlimited freedom. In governments, that is, in societies directed by laws, liberty can consist only in the power of doing what we ought to will, and in not being constrained to do what we ought not to will.

We must have continually present to our minds the difference between independence and liberty. Liberty is a right of doing whatever the laws permit, and if a citizen could do what they forbid he would be no longer possessed of liberty, because all his fellow-citizens would have the same power.

IV. THE SAME SUBJECT CONTINUED

Democratic and aristocratic states are not in their own nature free. Political liberty is to be found only in moderate governments; and even in these it is not always found. It is there only when there is no abuse of power. But constant experience shows us that every man invested with power is apt to abuse it, and to carry his authority as far as it will go. Is it not strange, though true, to say that virtue itself has need of limits?

To prevent this abuse, it is necessary from the very nature of things that power should be a check to power. A government may be so constituted, as no man shall be compelled to do things to which the law does not oblige him, nor forced to abstain from things which the law permits.

V. OF THE END OR VIEW OF DIFFERENT GOVERNMENTS

Though all governments have the same general end, which is that of preservation, yet each has another particular object. Increase of dominion was the object of Rome; war, that of Sparta; religion, that of the Jewish laws; commerce, that of Marseilles; public tranquillity, that of the laws of China; navigation, that of the laws of Rhodes; natural liberty, that of the policy of the Savages; in general, the pleasures of the prince, that of despotic states; that of monarchies, the prince's and the kingdom's glory; the independence of individuals is the end aimed at by the laws of Poland, thence results the oppression of the whole.

One nation there is also in the world that has for the direct end of its constitution political liberty. We shall presently examine the principles on which this liberty is founded; if they are sound, liberty will appear in its highest perfection.

To discover political liberty in a constitution, no great labor is requisite. If we are capable of seeing it where it exists, it is soon found and we need not go far in search of it.

VI. OF THE CONSTITUTION OF ENGLAND

In every government there are three sorts of power: the legislative; the executive in respect to things dependent on the law of nations; and the executive in regard to matters that depend on the civil law.

By virtue of the first, the prince or magistrate enacts temporary or perpetual laws, and amends or abrogates those that have been already enacted. By the second, he makes peace or war, sends or receives embassies, establishes the public security, and provides against invasions. By the third, he punishes criminals, or determines the disputes that arise between individuals. The latter we

shall call the judiciary power, and the other simply the executive power of the state.

The political liberty of the subject is a tranquillity of mind arising from the opinion each person has of his safety. In order to have this liberty, it is requisite the government be so constituted as one man need not be afraid of another.

When the legislative and executive powers are united in the same person, or in the same body of magistrates, there can be no liberty; because apprehensions may arise, lest the same monarch or senate should enact tyrannical laws, to execute them in a tyrannical manner.

Again, there is no liberty, if the judiciary power be not separated from the legislative and executive. Were it joined with the legislative, the life and liberty of the subject would be exposed to arbitrary control; for the judge would be then the legislator. Were it joined to the executive power, the judge might behave with violence and oppression.

There would be an end of everything, were the same man or the same body, whether of the nobles or of the people, to exercise those three powers, that of enacting laws, that of executing the public resolutions, and of trying the causes of individuals.

Most kingdoms in Europe enjoy a moderate government because the prince who is invested with the two first powers leaves the third to his subjects. In Turkey, where these three powers are united in the Sultan's person, the subjects groan under the most dreadful oppression.

In the republics of Italy, where these three powers are united, there is less liberty than in our monarchies. Hence their government is obliged to have recourse to as violent methods for its support as even that of the Turks; witness the state inquisitors, and the lion's mouth into which every informer may at all hours throw his written accusations.

In what a situation must the poor subject be in those republics! The same body of magistrates are possessed, as executors of the laws, of the whole power they have given themselves in quality of legislators. They may plunder the state by their general determinations; and as they have likewise the judiciary power in their hands, every private citizen may be ruined by their particular decisions.

The whole power is here united in one body; and though there is no external pomp that indicates a despotic sway, yet the people feel the effects of it every moment.

Hence it is that many of the princes of Europe, whose aim has been levelled at arbitrary power, have constantly set out with uniting in their own persons all the branches of magistracy, and all the great offices of state.

I allow indeed that the mere hereditary aristocracy of the Italian republics does not exactly answer to the despotic power of the Eastern princes. The number of magistrates sometimes moderate the power of the magistracy; the whole body of the nobles do not always concur in the same design; and different tribunals are erected, that temper each other. Thus at Venice the legislative power is in the council, the executive in the *pregadi*, and the judiciary in the *quarantia*. But the mischief is, that these different tribunals are composed of magistrates all belonging to the same body; which constitutes almost one and the same power.

The judiciary power ought not to be given to a standing senate; it should be exercised by persons taken from the body of the people at certain times of the year, and consistently with a form and manner prescribed by law, in order to erect a tribunal that should last only so long as necessity requires.

By this method the judicial power, so terrible to mankind, not being annexed to any particular state or profession, becomes as it were, invisible. People have not then the judges continually present to their view; they fear the office, but not the magistrate.

In accusations of a deep and criminal nature, it is proper the person accused should have the privilege of choosing, in some measure, his judges, in concurrence with the law; or at least he should have a right to except against so great a number that the remaining part may be deemed his own choice.

The other two powers may be given rather to magistrates or permanent bodies, because they are not exercised on any private subject; one being no more than the general will of the state, and the other the execution of that general will.

But though the tribunals ought not to be fixed, the judgments ought; and to such a degree as to be ever conformable to the letter of the law. Were they to be the private opinion of the judge, people would then live in society, without exactly knowing the nature of their obligations.

The judges ought likewise to be of the same rank as the accused, or, in other words, his peers; to the end that he may not imagine he is fallen into the hands of persons inclined to treat him with rigor.

If the legislature leaves the executive power in possession of a right to imprison those subjects who can give security for their good behavior, there is an end of liberty; unless they are taken up, in order to answer without delay to a capital crime, in which case they are really free, being subject only to the power of the law.

But should the legislature think itself in danger by some secret conspiracy against the state, or by a correspondence with a foreign enemy, it might au-

thorize the executive power, for a short and limited time, to imprison suspected persons, who in that case would lose their liberty only for a while, to preserve it forever.

And this is the only reasonable method that can be substituted to the tyrannical magistracy of the Ephori, and to the state inquisitors of Venice, who are also despotic.

As in a country of liberty, every man who is supposed a free agent ought to be his own governor; the legislative power should reside in the whole body of the people. But since this is impossible in large states, and in small ones is subject to many inconveniences, it is fit the people should transact by their representatives what they cannot transact by themselves.

The inhabitants of a particular town are much better acquainted with its wants and interests than with those of other places; and are better judges of the capacity of their neighbors than of that of the rest of their countrymen. The members, therefore, of the legislature should not be chosen from the general body of the nation; but it is proper that in every considerable place a representative should be elected by the inhabitants.

The great advantage of representatives is, their capacity of discussing public affairs. For this the people collectively are extremely unfit, which is one of the chief inconveniences of a democracy.

It is not at all necessary that the representatives who have received a general instruction from their constituents should wait to be directed on each particular affair, as is practised in the diets of Germany. True it is that by this way of proceeding the speeches of the deputies might with greater propriety be called the voice of the nation; but, on the other hand, this would occasion infinite delays; would give each deputy a power of controlling the assembly; and, on the most urgent and pressing occasions, the wheels of government might be stopped by the caprice of a single person.

When the deputies, as Mr. Sidney well observes, represent a body of people, as in Holland, they ought to be accountable to their constituents; but it is a different thing in England, where they are deputed by boroughs.

All the inhabitants of the several districts ought to have a right of voting at the election of a representative, except such as are in so mean a situation as to be deemed to have no will of their own.

One great fault there was in most of the ancient republics, that the people had a right to active resolutions, such as require some execution, a thing of which they are absolutely incapable. They ought to have no share in the government but for the choosing of representatives, which is within their reach. For though few can tell the exact degree of men's capacities, yet there are

none but are capable of knowing in general whether the person they choose is better qualified than most of his neighbors.

Neither ought the representative body to be chosen for the executive part of government, for which it is not so fit; but for the enacting of laws, or to see whether the laws in being are duly executed, a thing suited to their abilities, and which none indeed but themselves can properly perform.

In such a state there are always persons distinguished by their birth, riches, or honors: but were they to be confounded with the common people, and to have only the weight of a single vote like the rest, the common liberty would be their slavery, and they would have no interest in supporting it, as most of the popular resolutions would be against them. The share they have, therefore, in the legislature ought to be proportioned to their other advantages in the state; which happens only when they form a body that has a right to check the licentiousness of the people, as the people have a right to oppose any encroachment of theirs.

The legislative power is therefore committed to the body of the nobles, and to that which represents the people, each having their assemblies and deliberations apart, each their separate views and interests.

Of the three powers above mentioned, the judiciary is in some measure next to nothing: there remain, therefore, only two; and as these have need of a regulating power to moderate them, the part of the legislative body composed of the nobility is extremely proper for this purpose.

The body of the nobility ought to be hereditary. In the first place it is so in its own nature; and in the next there must be a considerable interest to preserve its privileges—privileges that in themselves are obnoxious to popular envy, and of course in a free state are always in danger.

But as a hereditary power might be tempted to pursue its own particular interests, and forget those of the people, it is proper that where a singular advantage may be gained by corrupting the nobility, as in the laws relating to the supplies, they should have no other share in the legislation than the power of rejecting, and not that of resolving.

By the power of resolving I mean the right of ordaining by their own authority, or of amending what has been ordained by others. By the power of rejecting I would be understood to mean the right of annulling a resolution taken by another; which was the power of the tribunes at Rome. And though the person possessed of the privilege of rejecting may likewise have the right of approving, yet this approbation passes for no more than a declaration, that he intends to make no use of his privilege of rejecting, and is derived from that very privilege.

The executive power ought to be in the hands of a monarch, because this branch of government, having need of despatch, is better administered by one than by many: on the other hand, whatever depends on the legislative power is oftentimes better regulated by many than by a single person.

But if there were no monarch, and the executive power should be committed to a certain number of persons selected from the legislative body, there would be an end then of liberty; by reason the two powers would be united, as the same persons would sometimes possess, and would be always able to possess, a share in both.

Were the legislative body to be a considerable time without meeting, this would likewise put an end to liberty. For of two things one would naturally follow: either that there would be no longer any legislative resolutions, and then the state would fall into anarchy; or that these resolutions would be taken by the executive power, which would render it absolute.

It would be needless for the legislative body to continue always assembled. This would be troublesome to the representatives, and, moreover, would cut out too much work for the executive power, so as to take off its attention to its office, and oblige it to think only of defending its own prerogatives, and the right it has to execute.

Again, were the legislative body to be always assembled, it might happen to be kept up only by filling the places of the deceased members with new representatives; and in that case, if the legislative body were once corrupted, the evil would be past all remedy. When different legislative bodies succeed one another, the people who have a bad opinion of that which is actually sitting may reasonably entertain some hopes of the next: but were it to be always the same body, the people upon seeing it once corrupted would no longer expect any good from its laws; and of course they would either become desperate or fall into a state of indolence.

The legislative body should not meet of itself. For a body is supposed to have no will but when it is met; and besides, were it not to meet unanimously, it would be impossible to determine which was really the legislative body; the part assembled, or the other. And if it had a right to prorogue itself, it might happen never to be prorogued; which would be extremely dangerous, in case it should ever attempt to encroach on the executive power. Besides, there are seasons, some more proper than others, for assembling the legislative body: it is fit, therefore, that the executive power should regulate the time of meeting, as well as the duration of those assemblies, according to the circumstances and exigencies of a state known to itself.

Were the executive power not to have a right of restraining the encroach-

arrogate to itself what authority it pleased, it would soon destroy all the other powers.

But it is not proper, on the other hand, that the legislative power should have a right to stay the executive. For as the execution has its natural limits, it is useless to confine it; besides, the executive power is generally employed in momentary operations. The power, therefore, of the Roman tribunes was faulty, as it put a stop not only to the legislation, but likewise to the executive part of government; which was attended with infinite mischief.

But if the legislative power in a free state has no right to stay the executive, it has a right and ought to have the means of examining in what manner its laws have been executed; an advantage which this government has over that of Crete and Sparta, where the Cosmi and the Ephori gave no account of their administration.

But whatever may be the issue of that examination, the legislative body ought not to have a power of arraigning the person, nor, of course, the conduct, of him who is intrusted with the executive power. His person should be sacred, because as it is necessary for the good of the state to prevent the legislative body from rendering themselves arbitrary, the moment he is accused or tried there is an end of liberty.

In this case the state would be no longer a monarchy, but a kind of republic, though not a free government. But as the person intrusted with the executive power cannot abuse it without bad counsellors, and such as have the laws as ministers, though the laws protect them as subjects, these men may be examined and punished—an advantage which this government has over that of Gnidus, where the law allowed of no such thing as calling the Amymones to an account, even after their administration; and therefore the people could never obtain any satisfaction of the injuries done them.

Though, in general, the judiciary power ought not to be united with any part of the legislative, yet this is liable to three exceptions, founded on the particular interest of the party accused.

The great are always obnoxious to popular envy; and were they to be judged by the people, they might be in danger from their judges, and would, moreover, be deprived of the privilege which the meanest subject is possessed of in a free state, of being tried by his peers. The nobility, for this reason, ought not to be cited before the ordinary courts of judicature, but before that part of the legislature which is composed of their own body.

It is possible that the law, which is clear sighted in one sense, and blind in another, might, in some cases, be too severe. But as we have already observed, the national judges are no more than the mouth that pronounces the words of the law, mere passive beings, incapable of moderating either its force

or rigor. That part, therefore, of the legislative body, which we have just now observed to be a necessary tribunal on another occasion, also is a necessary tribunal in this; it belongs to its supreme authority to moderate the law in favor of the law itself, by mitigating the sentence.

It might also happen that a subject intrusted with the administration of public affairs may infringe the rights of the people, and be guilty of crimes which the ordinary magistrates either could not or would not punish. But, in general, the legislative power cannot try causes: and much less can it try this particular case, where it represents the party aggrieved, which is the people. It can only, therefore, impeach. But before what court shall it bring its impeachment? Must it go and demean itself before the ordinary tribunals, which are its inferiors, and, being composed, moreover, of men who are chosen from the people as well as itself, will naturally be swayed by the authority of so powerful an accuser? No: in order to preserve the dignity of the people and the security of the subject, the legislative part which represents the people must bring in its charge before the legislative part which represents the nobility, who have neither the same interests nor the same passions.

Here is an advantage which this government has over most of the ancient republics, where this abuse prevailed, that the people were at the same time both judge and accuser.

The executive power, pursuant of what has been already said, ought to have a share in the legislature by the power of rejecting; otherwise it would soon be stripped of its prerogative. But should the legislative power usurp a share of the executive, the latter would be equally undone.

If the prince were to have a part in the legislature by the power of resolving, liberty would be lost. But as it is necessary he should have a share in the legislature for the support of his own prerogative, this share must consist in the power of rejecting.

The change of government at Rome was owing to this, that neither the senate, who had one part of the executive power, nor the magistrates, who were intrusted with the other, had the right of rejecting, which was entirely lodged in the people.

Here, then, is the fundamental constitution of the government we are treating of. The legislative body being composed of two parts, they check one another by the mutual privilege of rejecting. They are both restrained by the executive power, as the executive is by the legislative.

These three powers should naturally form a state of repose or inaction. But as there is a necessity for movement in the course of human affairs, they are forced to move, but still in concert. . . .

XX. THE END OF THIS BOOK

I should be glad to inquire into the distribution of the three powers, in all the moderate governments we are acquainted with, in order to calculate the degrees of liberty which each may enjoy. But we must not always exhaust a subject, so as to leave no work at all for the reader. My business is not to make people read, but to make them think.

JAMES MADISON

THE MOST EFFECTIVE special pleading for the Constitution, and the most probing insights into the stuff of politics that grew out of the struggle for control, was that found in *The Federalist*, a collection of eighty-five essays which appeared in the New York press from October, 1787, to May, 1788. Written under the pseudonym "Publius," it turned out subsequently that the essays had been written by Alexander Hamilton (1757-1804), James Madison (1751-1836), and John Jay (1745-1829). In these essays a marked distrust of democracy was exhibited and a strong inclination in favor of the constitutional checks that marked a "republican" as over against a "democratic" form of government.

Of these eighty-five essays Number 10 (the essay that follows) is probably the most important and contains the most characteristic aspects of federalist theory. It was written by Madison. Subsequently fourth President of the United States, the Virginia-born and Princeton-educated Madison was the most informed and acute political theorist of those who gathered at Philadelphia, and probably played the greatest single part in the actual framing of the Constitution.

Apart from their immediate importance as propaganda for the Constitution, the Federalist Papers are a distinguished exposition of eighteenth-century political principles, especially of the attempt to systematize federal or coördinate powers of government. They reflect the fear of both popular "passions" and monarchical absolutism, and became a political bible for the middle classes when their power and property were threatened from below, as they had been from above.



THE FEDERALIST No. 10

TO THE PEOPLE OF THE STATE OF NEW YORK: Among the numerous advantages promised by a well-constructed Union, none deserves to be more accurately developed than its tendency to break and control the violence of faction. The friend of popular governments never finds himself so much alarmed for their character and fate, as when he contemplates their propensity to this dangerous vice. He will not fail, therefore, to set a due value on any plan which, without violating the principles to which he is attached, provides a proper cure for it. The instability, injustice, and confusion introduced into the public councils, have, in truth, been the mortal diseases under which popular governments have everywhere perished; as they continue to be the favorite and fruitful topics from which the adversaries to liberty derive their most specious declamations. The valuable improvements made by the American constitu-

tions on the popular models, both ancient and modern, cannot certainly be too much admired; but it would be an unwarrantable partiality, to contend that they have as effectually obviated the danger on this side, as was wished and expected. Complaints are everywhere heard from our most considerate and virtuous citizens, equally the friends of public and private faith, and of public and personal liberty, that our governments are too unstable, that the public good is disregarded in the conflicts of rival parties, and that measures are too often decided, not according to the rules of justice and the rights of the minor party, but by the superior force of an interested and overbearing majority. However anxiously we may wish that these complaints had no foundation, the evidence of known facts will not permit us to deny that they are in some degree true. It will be found, indeed, on a candid review of our situation, that some of the distresses under which we labor have been erroneously charged on the operation of our governments; but it will be found, at the same time, that other causes will not alone account for many of our heaviest misfortunes; and, particularly, for that prevailing and increasing distrust of public engagements, and alarm for private rights, which are echoed from one end of the continent to the other. These must be chiefly, if not wholly, effects of the unsteadiness and injustice with which a factious spirit has tainted our public administrations.

By a faction, I understand a number of citizens, whether amounting to a majority or minority of the whole, who are united and actuated by some common impulse of passion, or of interest, adverse to the rights of other citizens, or to the permanent and aggregate interests of the community.

There are two methods of curing the mischiefs of faction: the one, by removing its causes; the other, by controlling its effects.

There are again two methods of removing the causes of faction: the one, by destroying the liberty which is essential to its existence; the other, by giving to every citizen the same opinions, the same passions, and the same interests.

It could never be more truly said than of the first remedy, that it was worse than the disease. Liberty is to faction what air is to fire, an aliment without which it instantly expires. But it could not be less folly to abolish liberty, which is essential to political life, because it nourishes faction, than it would be to wish the annihilation of air, which is essential to animal life, because it imparts to fire its destructive agency.

The second expedient is as impracticable as the first would be unwise. As long as the reason of man continues fallible, and he is at liberty to exercise it, different opinions will be formed. As long as the connection subsists between his reason and his self-love, his opinions and his passions will have a reciprocal influence on each other; and the former will be objects to which the latter

will attach themselves. The diversity in the faculties of men, from which the rights of property originate, is not less an insuperable obstacle to a uniformity of interests. The protection of these faculties is the first object of government. From the protection of different and unequal faculties of acquiring property, the possession of different degrees and kinds of property immediately results; and from the influence of these on the sentiments and views of the respective proprietors, ensues a division of the society into different interests and parties.

The latent causes of faction are thus sown in the nature of man; and we see them everywhere brought into different degrees of activity, according to the different circumstances of civil society. A zeal for different opinions concerning religion, concerning government, and many other points, as well of speculation as of practice; an attachment to different leaders ambitiously contending for pre-eminence and power; or to persons of other descriptions whose fortunes have been interesting to the human passions, have, in turn, divided mankind into parties, inflamed them with mutual animosity, and rendered them much more disposed to vex and oppress each other than to co-operate for their common good. So strong is this propensity of mankind to fall into mutual animosities, that where no substantial occasion presents itself, the most frivolous and fanciful distinctions have been sufficient to kindle their unfriendly passions and excite their most violent conflicts. But the most common and durable source of factions has been the various and unequal distribution of property. Those who hold and those who are without property have ever formed distinct interests in society. Those who are creditors, and those who are debtors, fall under a like discrimination. A landed interest, a manufacturing interest, a mercantile interest, a moneyed interest, with many lesser interests, grow up of necessity in civilized nations, and divide them into different classes, actuated by different sentiments and views. The regulation of these various and interfering interests forms the principal task of modern legislation, and involves the spirit of party and faction in the necessary and ordinary operations of the government.

No man is allowed to be a judge in his own cause, because his interest would certainly bias his judgment, and, not improbably, corrupt his integrity. With equal, nay with greater reason, a body of men are unfit to be both judges and parties at the same time; yet what are many of the most important acts of legislation, but so many judicial determinations, not indeed concerning the rights of single persons, but concerning the rights of large bodies of citizens? And what are the different classes of legislators but advocates and parties to the causes which they determine? Is a law proposed concerning private debts? It is a question to which the creditors are parties on one side and the debtors

on the other. Justice ought to hold the balance between them. Yet the parties are, and must be, themselves the judges; and the most numerous party, or, in other words, the most powerful faction must be expected to prevail. Shall domestic manufactures be encouraged, and in what degree, by restrictions on foreign manufactures? are questions which would be differently decided by the landed and the manufacturing classes, and probably by neither with a sole regard to justice and the public good. The apportionment of taxes on the various descriptions of property is an act which seems to require the most exact impartiality; yet there is, perhaps, no legislative act in which greater opportunity and temptation are given to a predominant party to trample on the rules of justice. Every shilling with which they overburden the inferior number, is a shilling saved to their own pockets.

It is in vain to say that enlightened statesmen will be able to adjust these clashing interests, and render them all subservient to the public good. Enlightened statesmen will not always be at the helm. Nor, in many cases, can such an adjustment be made at all without taking into view indirect and remote considerations, which will rarely prevail over the immediate interest which one party may find in disregarding the rights of another or the good of the whole.

The inference to which we are brought is, that the *causes* of faction cannot be removed, and that relief is only to be sought in the means of controlling its *effects*.

If a faction consists of less than a majority, relief is supplied by the republican principle, which enables the majority to defeat its sinister views by regular vote. It may clog the administration, it may convulse the society; but it will be unable to execute and mask its violence under the forms of the Constitution. When a majority is included in a faction, the form of popular government, on the other hand, enables it to sacrifice to its ruling passion or interest both the public good and the rights of other citizens. To secure the public good and private rights against the danger of such a faction, and at the same time to preserve the spirit and the form of popular government, is then the great object to which our inquiries are directed. Let me add that it is the great desideratum by which this form of government can be rescued from the opprobrium under which it has so long labored, and be recommended to the esteem and adoption of mankind.

By what means is this object attainable? Evidently by one of two only. Either the existence of the same passion or interest in a majority at the same time must be prevented, or the majority, having such coexistent passion or interest, must be rendered, by their number and local situation, unable to concert and carry into effect schemes of oppression. If the impulse and the opportunity

be suffered to coincide, we well know that neither moral nor religious motives can be relied on as an adequate control. They are not found to be such on the injustice and violence of individuals, and lose their efficacy in proportion to the number combined together, that is, in proportion as their efficacy becomes needful.

From this view of the subject it may be concluded that a pure democracy, by which I mean a society consisting of a small number of citizens, who assemble and administer the government in person, can admit of no cure for the mischiefs of faction. A common passion or interest will, in almost every case, be felt by a majority of the whole; a communication and concert result from the form of government itself; and there is nothing to check the inducements to sacrifice the weaker party or an obnoxious individual. Hence it is that such democracies have ever been spectacles of turbulence and contention; have ever been found incompatible with personal security or the rights of property; and have in general been as short in their lives as they have been violent in their deaths. Theoretic politicians, who have patronized this species of government, have erroneously supposed that by reducing mankind to a perfect equality in their political rights, they would, at the same time, be perfectly equalized and assimilated in their possessions, their opinions, and their passions.

A republic, by which I mean a government in which the scheme of representation takes place, opens a different prospect, and promises the cure for which we are seeking. Let us examine the points in which it varies from pure democracy, and we shall comprehend both the nature of the cure and the efficacy which it must derive from the Union.

The two great points of difference between a democracy and a republic are: first, the delegation of the government, in the latter, to a small number of citizens elected by the rest; secondly, the greater number of citizens, and greater sphere of country, over which the latter may be extended.

The effect of the first difference is, on the one hand, to refine and enlarge the public views, by passing them through the medium of a chosen body of citizens, whose wisdom may best discern the true interest of their country, and whose patriotism and love of justice will be least likely to sacrifice it to temporary or partial considerations. Under such a regulation, it may well happen that the public voice, pronounced by the representatives of the people, will be more consonant to the public good than if pronounced by the people themselves, convened for the purpose. On the other hand, the effect may be inverted. Men of factious tempers, of local prejudices, or of sinister designs, may, by intrigue, by corruption, or by other means, first obtain the suffrages, and then betray the interests, of the people. The question resulting is, whether

small or extensive republics are more favorable to the election of proper guardians of the public weal; and it is clearly decided in favor of the latter by two obvious considerations:

In the first place, it is to be remarked that, however small the republic may be, the representatives must be raised to a certain number, in order to guard against the cabals of a few; and that, however large it may be, they must be limited to a certain number, in order to guard against the confusion of a multitude. Hence, the number of representatives in the two cases not being in proportion to that of the two constituents, and being proportionally greater in the small republic, it follows that, if the proportion of fit characters be not less in the large than in the small republic, the former will present a greater option, and consequently a greater probability of a fit choice.

In the next place, as each representative will be chosen by a greater number of citizens in the large than in the small republic, it will be more difficult for unworthy candidates to practise with success the vicious arts by which elections are too often carried; and the suffrages of the people being more free, will be more likely to centre in men who possess the most attractive merit and the most diffusive and established characters.

It must be confessed that in this, as in most other cases, there is a mean, on both sides of which inconveniences will be found to lie. By enlarging too much the number of electors, who render the representative too little acquainted with all their local circumstances and lesser interests; as by reducing it too much, you render him unduly attached to these, and too little fit to comprehend and pursue great and national objects. The federal Constitution forms a happy combination in this respect; the great and aggregate interests being referred to the national, the local and particular to the State legislatures.

The other point of difference is, the greater number of citizens and extent of territory which may be brought within the compass of republican than of democratic government; and it is this circumstance principally which renders factious combinations less to be dreaded in the former than in the latter. The smaller the society, the fewer probably will be the distinct parties and interests composing it; the fewer the distinct parties and interests, the more frequently will a majority be found of the same party; and the smaller the number of individuals composing a majority, and the smaller the compass within which they are placed, the more easily will they convert and execute their plans of oppression. Extend the sphere, and you take in a greater variety of parties and interests; you make it less probable that a majority of the whole will have a common motive to invade the rights of other citizens; or if such a common motive exists, it will be more difficult for all who feel it to discover their own strength, and to act in unison with each other. Besides other im-

pediments, it may be remarked that, where there is a consciousness of unjust or dishonorable purposes, communication is always checked by distrust in proportion to the number whose concurrence is necessary.

Hence, it clearly appears, that the same advantage which a republic has over a democracy, in controlling the effects of faction, is enjoyed by a large over a small republic,—is enjoyed by the Union over the States composing it. Does the advantage consist in the substitution of representatives whose enlightened views and virtuous sentiments render them superior to local prejudices and to schemes of injustice? It will not be denied that the representation of the Union will be most likely to possess these requisite endowments. Does it consist in the greater security afforded by a greater variety of parties, against the event of any one party being able to outnumber and oppress the rest? In an equal degree does the increased variety of parties comprised within the Union, increase this security. Does it, in fine, consist in the greater obstacles opposed to the concert and accomplishment of the secret wishes of an unjust and interested majority? Here, again, the extent of the Union gives it the most palpable advantage.

The influence of factious leaders may kindle a flame within their particular States, but will be unable to spread a general conflagration through the other States. A religious sect may degenerate into a political faction in a part of the Confederacy; but the variety of sects dispersed over the entire face of it must secure the national councils against any danger from that source. A rage for paper money, for an abolition of debts, for an equal division of property, or for any other improper or wicked project, will be less apt to pervade the whole body of the Union than a particular member of it; in the same proportion as such a malady is more likely to taint a particular county or district, than an entire State.

In the extent and proper structure of the Union, therefore, we behold a republican remedy for the diseases most incident to republican government. And according to the degree of pleasure and pride we feel in being republicans, ought to be our zeal in cherishing the spirit and supporting the character of Federalists.

PUBLIUS

JEAN JACQUES ROUSSEAU

THE WRITINGS of the *philosophes* of the French Enlightenment show recurrently the signs of perplexed irritation at the works of a man whom they had to recognize as being on their side, but who they knew was not one of them. Even the kindly Diderot said that when he thought of Rousseau he felt "as if I had a damned soul at my side." The life of Jean Jacques Rousseau (1712-78), as he saw it, is recorded in his *Confessions*. Born in Geneva and largely self-taught, Rousseau experienced his chief intellectual development in Paris in the twelve years between 1744 and 1756, during which time he came into close association with the *philosophes*. Rousseau contributed an article on music and one on political economy to the *Encyclopedia*, but his collaboration with the encyclopedist circle was terminated under the sting of personal slights, imagined or real.

What made Rousseau puzzling to his contemporaries and important to posterity was that he adopted the usual terms and the characteristic principles of the Enlightenment but filled them with radically new meanings. In an age convinced of its progressive character he wrote a *Discourse on the Arts and Sciences* in which he appeared to argue that civilization was a mistake. His *Emile* (1762) was an epoch-making criticism of the educational theory of the Enlightenment, and *The Social Contract* (1762) was of like significance in the history of modern political philosophy. Though the title of the latter work embodied a fashionable concept, Rousseau formulated an argument in which the doctrine of the social contract was subordinated to new ones—the sovereignty of the people and the general will.

In his *Discourse on the Origin of Inequality* Rousseau reiterated his conviction that men are born good but are everywhere corrupt because of evil institutions. "There is hardly any inequality in the state of nature, all the inequality which now prevails owes its strength and growth to the development of our faculties and the advance of the human mind, and becomes at last permanent and legitimate by the establishment of property and laws."

In contrast with such a situation Rousseau held up the picture of the "natural man," in reality the citizen of a simple and affectionate society such as Rousseau found in his idealized city-state, Geneva. Rousseau's attack upon the arts and sciences and upon civilized society, despite its tendency to exaggerate, was not directed against society as a whole but rather against the peculiar institutions and the specialized philosophy which had so irritated him during his stay in Paris. The *philosophes'* combination of individualism and cosmopolitanism seemed to him to be the revealing expression of a cold, artificial, and depressingly formalized society.

These early *Discourses*, as Rousseau tells us in his *Confessions*, prepared the way for his *Social Contract*, in which he renewed the classic Platonic insistence that the community is the supreme teacher of morality. Loyalty to "the dear name of country" was one of the most important virtues for Rousseau, yet it was neglected, seemingly, by the fashionable philosophies he opposed. The objective of his political philosophy was to formulate the conditions under which a community might in

fact be the channel through which men might exercise their natural virtues, that is to say, "be free in being subject." Thus, when Rousseau devotes his *Social Contract* to answering the question, "How can the bondage of society be made legitimate?" he is really asking the question, "What makes the bondage of one society legitimate, and that of another illegitimate?"

It was as the answer to a problem formulated in this way that Rousseau developed the conception of liberty which distinguishes *The Social Contract*. His definition of liberty as obedience to the General Will which the individual freely accepts for himself meets the two conditions he has set up: liberty consists in the citizen's fulfillment of his obligation to society and at the same time in "obeying himself alone." Thus Rousseau attempts to bring together the two outstanding traditional definitions of liberty as perfect obedience to perfect law and as the absence of external restraints.

Rousseau's influence was far-reaching and diverse. He expressed the tendency (which developed still further at the beginning of the nineteenth century) to place science and morals on separate foundations. Assured that popular sovereignty would restrain the power of the executive, he was nevertheless the philosopher invoked by the Jacobins and Robespierre when they argued that they had the right "to force men to be free" because "our will is the general will." Still further, Rousseau struck a responsive chord for members of the middle class. Like Molière's *bourgeois gentilhomme*, who discovered he had been speaking prose all his life, they found through Rousseau's idealization of their "general will" that they had been virtuous all their lives. Impractical as he was, and anachronistic as his idealization of the city-state was in a world becoming increasingly dominated by the great powers, he nevertheless developed lines of thought which may be traced in contemporary democracy, in nationalism, and in totalitarianism. Indeed, few writers have been so prophetic or have exercised so wide an appeal as Rousseau.

The following translation from the French is by G. D. H. Cole (New York, Everyman's Library, E. P. Dutton, 1913).



THE SOCIAL CONTRACT

[Book I]

CHAPTER I: SUBJECT OF THE FIRST BOOK

MAN IS BORN FREE; and everywhere he is in chains. One thinks himself the master of others, and still remains a greater slave than they. How did this change come about? I do not know. What can make it legitimate? That question I think I can answer.

If I took into account only force, and the effects derived from it, I should say: "As long as a people is compelled to obey, and obeys, it does well; as soon as it can shake off the yoke, and shakes it off, it does still better; for, regaining

its liberty by the same right as took it away, either it is justified in resuming it, or there was no justification for those who took it away." But the social order is a sacred right which is the basis of all other rights. Nevertheless, this right does not come from nature, and must therefore be founded on conventions. Before coming to that, I have to prove what I have just asserted. . . .

CHAPTER III: THE RIGHT OF THE STRONGEST

The strongest is never strong enough to be always the master, unless he transforms strength into right, and obedience into duty. Hence the right of the strongest, which, though to all seeming meant ironically, is really laid down as a fundamental principle. But are we never to have an explanation of this phrase? Force is a physical power, and I fail to see what moral effect it can have. To yield to force is an act of necessity, not of will—at the most, an act of prudence. In what sense can it be a duty?

Suppose for a moment that this so-called "right" exists. I maintain that the sole result is a mass of inexplicable nonsense. For, if force creates right, the effect changes with the cause: every force that is greater than the first succeeds to its right. As soon as it is possible to disobey with impunity, disobedience is legitimate; and, the strongest being always in the right, the only thing that matters is to act so as to become the strongest. But what kind of right is that which perishes when force fails? If we must obey perforce, there is no need to obey because we ought; and if we are not forced to obey, we are under no obligation to do so. Clearly, the word "right" adds nothing to force: in this connection, it means absolutely nothing.

Obey the powers that be. If this means yield to force, it is a good precept, but superfluous: I can answer for its never being violated. All power comes from God, I admit; but so does all sickness: does that mean that we are forbidden to call in the doctor? A brigand surprises me at the edge of a wood: must I not merely surrender my purse on compulsion; but, even if I could withhold it, am I in conscience bound to give it up? For certainly the pistol he holds is also a power.

Let us then admit that force does not create right, and that we are obliged to obey only legitimate powers. In that case, my original question recurs.

CHAPTER IV: SLAVERY

. . . To renounce liberty is to renounce being a man, to surrender the rights of humanity and even its duties. For him who renounces everything no indemnity is possible. Such a renunciation is incompatible with man's nature; to remove all liberty from his will is to remove all morality from his acts. Finally, it is an empty and contradictory convention that sets up, on the one

side, absolute authority, and, on the other, unlimited obedience. Is it not clear that we can be under no obligation to a person from whom we have the right to exact everything? Does not this condition alone, in the absence of equivalence or exchange, in itself involve the nullity of the act? For what right can my slave have against me, when all that he has belongs to me, and, his right being mine, this right of mine against myself is a phrase devoid of meaning?

Grotius and the rest find in war another origin for the so-called right of slavery. The victor having, as they hold, the right of killing the vanquished, the latter can buy back his life at the price of his liberty; and this convention is the more legitimate because it is to the advantage of both parties.

But it is clear that this supposed right to kill the conquered is by no means deducible from the state of war. Men, from the mere fact that, while they are living in their primitive independence, they have no mutual relations stable enough to constitute either the state of peace or the state of war, cannot be naturally enemies. War is constituted by a relation between things, and not between persons; and, as the state of war cannot arise out of simple personal relations, but only out of real relations, private war, or war of man with man, can exist neither in the state of nature, where there is no constant property, nor in the social state, where everything is under the authority of the laws.

Individual combats, duels and encounters, are acts which cannot constitute a state; while the private wars, authorised by the Establishments of Louis IX, King of France, and suspended by the Peace of God, are abuses of feudalism, in itself an absurd system if ever there was one, and contrary to the principles of natural right and to all good polity.

War then is a relation, not between man and man, but between State and State, and individuals are enemies only accidentally, not as men, nor even as citizens, but as soldiers; not as members of their country, but as its defenders. Finally, each State can have for enemies only other States, and not men; for between things disparate in nature there can be no real relation. . . .

CHAPTER VI: THE SOCIAL COMPACT

I suppose men to have reached the point at which the obstacles in the way of their preservation in the state of nature show their power of resistance to be greater than the resources at the disposal of each individual for his maintenance in that state. That primitive condition can then subsist no longer; and the human race would perish unless it changed its manner of existence.

But, as men cannot engender new forces, but only unite and direct existing ones, they have no other means of preserving themselves than the formation, by aggregation, of a sum of forces great enough to overcome the resistance.

These they have to bring into play by means of a single motive power, and cause to act in concert.

This sum of forces can arise only where several persons come together: but, as the force and liberty of each man are the chief instruments of his self-preservation, how can he pledge them without harming his own interests, and neglecting the care he owes to himself? This difficulty, in its bearing on my present subject, may be stated in the following terms—

“The problem is to find a form of association which will defend and protect with the whole common force the person and goods of each associate, and in which each, while uniting himself with all, may still obey himself alone, and remain as free as before.” This is the fundamental problem of which the *Social Contract* provides the solution.

The clauses of this contract are so determined by the nature of the act that the slightest modification would make them vain and ineffective; so that, although they have perhaps never been formally set forth, they are everywhere the same and everywhere tacitly admitted and recognised, until, on the violation of the social compact, each regains his original rights and resumes his natural liberty, while losing the conventional liberty in favour of which he renounced it.

These clauses, properly understood, may be reduced to one—the total alienation of each associate, together with all his rights, to the whole community; for, in the first place, as each gives himself absolutely, the conditions are the same for all; and, this being so, no one has any interest in making them burdensome to others.

Moreover, the alienation being without reserve, the union is as perfect as it can be, and no associate has anything more to demand: for, if the individuals retained certain rights, as there would be no common superior to decide between them and the public, each, being on one point his own judge, would ask to be so on all; the state of nature would thus continue, and the association would necessarily become inoperative or tyrannical.

Finally, each man, in giving himself to all, gives himself to nobody; and as there is no associate over whom he does not acquire the same right as he yields others over himself, he gains an equivalent for everything he loses, and an increase of force for the preservation of what he has.

If then we discard from the social compact what is not of its essence, we shall find that it reduces itself to the following terms—

“Each of us puts his person and all his power in common under the supreme direction of the general will, and, in our corporate capacity, we receive each member as an indivisible part of the whole.”

At once, in place of the individual personality of each contracting party, this act of association creates a moral and collective body, composed of as many members as the assembly contains votes, and receiving from this act its unity, its common identity, its life and its will. This public person, so formed by the union of all other persons formerly took the name of *city*,¹ and now takes that of *Republic* or *body politic*; it is called by its members *State* when passive, *Sovereign* when active, and *Power* when compared with others like itself. Those who are associated in it take collectively the name of *people*, and severally are called *citizens*, as sharing in the sovereign power, and *subjects*, as being under the laws of the State. But these terms are often confused and taken one for another: it is enough to know how to distinguish them when they are being used with precision.

CHAPTER VII: THE SOVEREIGN

This formula shows us that the act of association comprises a mutual undertaking between the public and the individuals, and that each individual, in making a contract, as we may say, with himself, is bound in a double capacity; as a member of the Sovereign he is bound to the individuals, and as a member of the State to the Sovereign. But the maxim of civil right, that no one is bound by undertakings made to himself, does not apply in this case; for there is a great difference between incurring an obligation to yourself and incurring one to a whole of which you form a part.

Attention must further be called to the fact that public deliberation, while competent to bind all the subjects to the Sovereign, because of the two different capacities in which each of them may be regarded, cannot, for the opposite reason, bind the Sovereign to itself; and that it is consequently against the nature of the body politic for the Sovereign to impose on itself a law which it cannot infringe. Being able to regard itself in only one capacity, it is in the position of an individual who makes a contract with himself; and this makes it clear that there neither is nor can be any kind of fundamental law binding on the body of the people—not even the social contract itself. This does not mean that the body politic cannot enter into undertakings with others, provided the contract is not infringed by them; for in relation to what is external to it, it becomes a simple being, an individual.

But the body politic or the Sovereign, drawing its being wholly from the sanctity of the contract, can never bind itself, even to an outsider, to do anything derogatory to the original act, for instance, to alienate any part of itself,

¹ The real meaning of this word has been almost wholly lost in modern times; most people mistake a town for a city, and a townsman for a citizen. They do not know that houses make a town, but citizens a city. . . .

or to submit to another Sovereign. Violation of the act by which it exists would be self-annihilation; and that which is itself nothing can create nothing.

As soon as this multitude is so united in one body, it is impossible to offend against one of the members without attacking the body, and still more to offend against the body without the members resenting it. Duty and interest therefore equally oblige the two contracting parties to give each other help; and the same men should seek to combine, in their double capacity, all the advantages dependent upon that capacity.

Again, the Sovereign, being formed wholly of the individuals who compose it, neither has nor can have any interest contrary to theirs; and consequently the sovereign power need give no guarantee to its subjects, because it is impossible for the body to wish to hurt all its members. We shall also see later on that it cannot hurt any in particular. The Sovereign, merely by virtue of what it is, is always what it should be.

This, however, is not the case with the relation of the subjects to the Sovereign, which, despite the common interest, would have no security that they would fulfil their undertakings, unless it found means to assure itself of their fidelity.

In fact, each individual, as a man, may have a particular will contrary or dissimilar to the general will which he has as a citizen. His particular interest may speak to him quite differently from the common interest: his absolute and naturally independent existence may make him look upon what he owes to the common cause as a gratuitous contribution, the loss of which will do less harm to others than the payment of it is burdensome to himself; and, regarding the moral person which constitutes the State as a *persona ficta*, because not a man, he may wish to enjoy the rights of citizenship without being ready to fulfil the duties of a subject. The continuance of such an injustice could not but prove the undoing of the body politic.

In order then that the social compact may not be an empty formula, it tacitly includes the undertaking, which alone can give force to the rest, that whoever refuses to obey the general will shall be compelled to do so by the whole body. This means nothing less than that he will be forced to be free; for this is the condition which, by giving each citizen to his country, secures him against all personal dependence. In this lies the key to the working of the political machine; this alone legitimises civil undertakings, which, without it, would be absurd, tyrannical, and liable to the most frightful abuses.

CHAPTER VIII: THE CIVIL STATE

The passage from the state of nature to the civil state produces a very remarkable change in man, by substituting justice for instinct in his conduct,

and giving his actions the morality they formerly lacked. Then only, when the voice of duty takes the place of physical impulses and right of appetite, does man, who so far had considered only himself, find that he is forced to act on different principles, and to consult his reason before listening to his inclinations. Although, in this state, he deprives himself of some advantages which he got from nature, he gains in return others so great, his faculties are so stimulated and developed, his ideas so extended, his feelings so ennobled, and his whole soul so uplifted, that, did not the abuses of this new condition often degrade him below that which he left, he would be bound to bless continually the happy moment which took him from it for ever, and, instead of a stupid and unimaginative animal, made him an intelligent being and a man.

Let us draw up the whole account in terms easily commensurable. What man loses by the social contract is his natural liberty and an unlimited right to everything he tries to get and succeeds in getting; what he gains is civil liberty and the proprietorship of all he possesses. If we are to avoid mistake in weighing one against the other, we must clearly distinguish natural liberty, which is bounded only by the strength of the individual, from civil liberty, which is limited by the general will; and possession, which is merely the effect of force or the right of the first occupier, from property, which can be founded only on a positive title.

We might, over and above all this, add, to what man acquires in the civil state, moral liberty, which alone makes him truly master of himself; for the mere impulse of appetite is slavery, while obedience to a law which we prescribe to ourselves is liberty. But I have already said too much on this head, and the philosophical meaning of the word liberty does not now concern us.

. . . I shall end . . . this book by remarking on a fact on which the whole social system should rest: *i.e.* that, instead of destroying natural inequality, the fundamental compact substitutes, for such physical inequality as nature may have set up between men, an equality that is moral and legitimate, and that men, who may be unequal in strength or intelligence, become every one equal by convention and legal right.

[Book II]

CHAPTER I: THAT SOVEREIGNTY IS INALIENABLE

The first and most important deduction from the principles we have so far laid down is that the general will alone can direct the State according to the object for which it was instituted, *i.e.*, the common good: for if the clashing of particular interests made the establishment of societies necessary, the agree-

ment of these very interests made it possible. The common element in these different interests is what forms the social tie; and, were there no point of agreement between them all, no society could exist. It is solely on the basis of this common interest that every society should be governed.

I hold then that Sovereignty, being nothing less than the exercise of the general will, can never be alienated, and that the Sovereign, who is no less than a collective being, cannot be represented except by himself: the power indeed may be transmitted, but not the will.

In reality, if it is not impossible for a particular will to agree on some point with the general will, it is at least impossible for the agreement to be lasting and constant; for the particular will tends, by its very nature, to partiality, while the general will tends to equality. It is even more impossible to have any guarantee of this agreement; for even if it should always exist, it would be the effect not of art, but of chance. The Sovereign may indeed say: "I now will actually what this man wills, or at least what he says he wills"; but it cannot say: "What he wills tomorrow, I too shall will" because it is absurd for the will to bind itself for the future, nor is it incumbent on any will to consent to anything that is not for the good of the being who wills. If then the people promises simply to obey, by that very act it dissolves itself and loses what makes it a people; the moment a master exists, there is no longer a Sovereign, and from that moment the body politic has ceased to exist.

This does not mean that the commands of the rulers cannot pass for general wills, so long as the Sovereign, being free to oppose them, offers no opposition. In such a case, universal silence is taken to imply the consent of the people. This will be explained later on.

CHAPTER II: THAT SOVEREIGNTY IS INDIVISIBLE

Sovereignty, for the same reason as makes it inalienable, is indivisible; for will either is, or is not, general; ² it is the will either of the body of the people, or only of a part of it. In the first case, the will, when declared, is an act of Sovereignty and constitutes law: in the second, it is merely a particular will, or act of magistracy—at the most a decree.

But our political theorists, unable to divide Sovereignty in principle, divide it according to its object: into force and will; into legislative power and executive power; into rights of taxation, justice and war; into internal administration and power of foreign treaty. Sometimes they confuse all these sections, and sometimes they distinguish them; they turn the Sovereign into a fantastic being composed of several connected pieces: it is as if they were making man of

² To be general, a will need not always be unanimous; but every vote must be counted: any exclusion is a breach of generality.

several bodies, one with eyes, one with arms, another with feet, and each with nothing besides. We are told that the jugglers of Japan dismember a child before the eyes of the spectators; then they throw all the members into the air one after another, and the child falls down alive and whole. The conjuring tricks of our political theorists are very like that; they first dismember the body politic by an illusion worthy of a fair, and then join it together again we know not how.

This error is due to a lack of exact notions concerning the Sovereign authority, and to taking for parts of it what are only emanations from it. Thus, for example, the acts of declaring war and making peace have been regarded as acts of Sovereignty; but this is not the case, as these acts do not constitute law, but merely the application of a law, a particular act which decides how the law applies, as we shall see clearly when the idea attached to the word *law* has been defined. . . .

CHAPTER III: WHETHER THE GENERAL WILL IS FALLIBLE

It follows from what has gone before that the general will is always right and tends to the public advantage; but it does not follow that the deliberations of the people are always equally correct. Our will is always for our own good, but we do not always see what that is; the people is never corrupted, but it is often deceived, and on such occasions only does it seem to will what is bad.

There is often a great deal of difference between the will of all and the general will; the latter considers only the common interest, while the former takes private interest into account, and is not more than a sum of particular wills: but take away from these same wills the pluses and minuses that cancel one another, and the general will remains as the sum of the differences.

If, when the people, being furnished with adequate information, held its deliberations, the citizens had no communication one with another, the grand total of the small differences would always give the general will, and the decision would always be good. But when factions arise, and partial associations are formed at the expense of the great association, the will of each of these associations becomes general in relation to its members, while it remains particular in relation to the State: it may then be said that there are no longer as many votes as there are men, but only as many as there are associations. The differences become less numerous and give a less general result. Lastly, when one of these associations is so great as to prevail over all the rest, the result is no longer a sum of small differences, but a single difference; in this case there is no longer a general will, and the opinion which prevails is purely particular.

It is therefore essential, if the general will is to be able to express itself, that

there should be no partial society within the State, and that each citizen should think only his own thoughts: which was indeed the sublime and unique system established by the great Lycurgus. But if there are partial societies, it is best to have as many as possible and to prevent them from being unequal, as was done by Solon, Numa and Servius. These precautions are the only ones that can guarantee that the general will shall be always enlightened, and that the people shall in no way deceive itself.

CHAPTER IV: THE LIMITS OF THE SOVEREIGN POWER

If the state is a moral person whose life is in the union of its members, and if the most important of its cares is the care for its own preservation, it must have a universal and compelling force, in order to move and dispose each part as may be most advantageous to the whole. As nature gives each man absolute power over all his members, the social compact gives the body politic absolute power over all its members also; and it is this power which, under the direction of the general will, bears, as I have said, the name of Sovereignty.

But, besides the public person, we have to consider the private persons composing it, whose life and liberty are naturally independent of it. We are bound then to distinguish clearly between the respective rights of the citizens and the Sovereign, and between the duties the former have to fulfil as subjects, and the natural rights they should enjoy as men.

Each man alienates, I admit, by the social compact, only such part of his powers, goods and liberty as it is important for the community to control; but it must also be granted that the Sovereign is sole judge of what is important.

Every service a citizen can render the State he ought to render as soon as the Sovereign demands it; but the Sovereign, for its part, cannot impose upon its subjects any fetters that are useless to the community, nor can it even wish to do so; for no more by the law of reason than by the law of nature can anything occur without a cause.

The undertakings which bind us to the social body are obligatory only because they are mutual; and their nature is such that in fulfilling them we cannot work for others without working for ourselves. Why is it that the general will is always in the right, and that all continually will the happiness of each one, unless it is because there is not a man who does not think of "each" as meaning him, and consider himself in voting for all? This proves that equality of rights and the idea of justice which such equality creates originate in the preference each man gives to himself, and accordingly in the very nature of man. It proves that the general will, to be really such, must be general in its object as well as its essence; that it must both come from all and

apply to all; and that it loses its natural rectitude when it is directed to some particular and determinate object, because in such a case we are judging of something foreign to us, and have no true principle of equity to guide us.

Indeed, as soon as a question of particular fact or right arises on a point not previously regulated by a general convention, the matter becomes contentious. It is a case in which the individuals concerned are one party, and the public the other, but in which I can see neither the law that ought to be followed nor the judge who ought to give the decision. In such a case, it would be absurd to propose to refer the question to an express decision of the general will, which can be only the conclusion reached by one of the parties and in consequence will be, for the other party, merely an external and particular will, inclined on this occasion to injustice and subject to error. Thus, just as a particular will cannot stand off for the general will, the general will, in turn, changes its nature, when its object is particular, and, as general, cannot pronounce on a man or a fact. When, for instance, the people of Athens nominated or displaced its rulers, decreed honours to one, and imposed penalties on another, and, by a multitude of particular decrees, exercised all the functions of government indiscriminately, it had in such cases no longer a general will in the strict sense; it was acting no longer as Sovereign, but as magistrate. This will seem contrary to current views; but I must be given time to expound my own.

It should be seen from the foregoing that what makes the will general is less the number of voters than the common interest uniting them; for, under this system, each necessarily submits to the conditions he imposes on others: and this admirable agreement between interest and justice gives to the common deliberations an equitable character which at once vanishes when any particular question is discussed, in the absence of a common interest to unite and identify the ruling of the judge with that of the party.

From whatever side we approach our principle, we reach the same conclusion, that the social compact sets up among the citizens an equality of such a kind, that they all bind themselves to observe the same conditions and should therefore all enjoy the same rights. Thus, from the very nature of the compact, every act of Sovereignty, *i.e.* every authentic act of the general will, binds or favours all the citizens equally; so that the Sovereign recognises only the body of the nation, and draws no distinctions between those of whom it is made up. What, then, strictly speaking, is an act of Sovereignty? It is not a convention between a superior and an inferior, but a convention between the body and each of its members. It is legitimate, because based on the social contract, and equitable, because common to all; useful, because it can have no other object than the general good, and stable, because guaranteed by the

public force and the supreme power. So long as the subjects have to submit only to conventions of this sort, they obey no-one but their own will; and to ask how far the respective rights of the Sovereign and the citizens extend, is to ask up to what point the latter can enter into undertakings with themselves, each with all, and all with each.

We can see from this that the sovereign power, absolute, sacred and inviolable as it is, does not and cannot exceed the limits of general conventions, and that every man may dispose at will of such goods and liberty as these conventions leave him; so that the Sovereign never has a right to lay more charges on one subject than on another, because, in that case, the question becomes particular, and ceases to be within its competency.

When these distinctions have once been admitted, it is seen to be so untrue that there is, in the social contract, any real renunciation on the part of the individuals, that the position in which they find themselves as a result of the contract is really preferable to that in which they were before. Instead of a renunciation, they have made an advantageous exchange: instead of an uncertain and precarious way of living they have got one that is better and more secure; instead of natural independence they have got liberty, instead of the power to harm others security for themselves, and instead of their strength, which others might overcome, a right which social union makes invincible. Their very life, which they have devoted to the State, is by it constantly protected; and when they risk it in the State's defence, what more are they doing than giving back what they have received from it? What are they doing that they would not do more often and with greater danger in the state of nature, in which they would inevitably have to fight battles at the peril of their lives in defence of that which is the means of their preservation? All have indeed to fight when their country needs them; but then no one has ever to fight for himself. Do we not gain something by running, on behalf of what gives us our security, only some of the risks we should have to run for ourselves, as soon as we lost it?

CHAPTER VI: LAW

. . . I . . . give the name "Republic" to every State that is governed by laws, no matter what the form of its administration may be: for only in such a case does the public interest govern, and the *res publica* rank as a *reality*. Every legitimate government is republican;⁸ what government is I will explain later on.

⁸ I understand by this word, not merely an aristocracy or a democracy, but generally any government directed by the general will, which is the law. To be legitimate, the government must be, not one with the Sovereign, but its minister. In such a case even a monarchy is a Republic. This will be made clearer in the following book.

Laws are, properly speaking, only the conditions of civil association. The people, being subject to the laws, ought to be their author: the conditions of the society ought to be regulated solely by those who come together to form it. But how are they to regulate them? Is it to be by common agreement, by a sudden inspiration? Has the body politic an organ to declare its will? Who can give it the foresight to formulate and announce its acts in advance? Or how is it to announce them in the hour of need? How can a blind multitude, which often does not know what it wills, because it rarely knows what is good for it, carry out for itself so great and difficult an enterprise as a system of legislation? Of itself the people wills always the good, but of itself it by no means always sees it. The general will is always in the right, but the judgment which guides it is not always enlightened. It must be got to see objects as they are, and sometimes as they ought to appear to it; it must be shown the good road it is in search of, secured from the seductive influences of individual wills, taught to see times and spaces as a series, and made to weigh the attractions of present and sensible advantages against the danger of distant and hidden evils. The individuals see the good they reject; the public wills the good it does not see. All stand equally in need of guidance. The former must be compelled to bring their wills into conformity with their reason; the latter must be taught to know what it wills. If that is done, public enlightenment leads to the union of understanding and will in the social body: the parts are made to work exactly together, and the whole is raised to its highest power. This makes a legislator necessary.

CHAPTER VII: THE LEGISLATOR

In order to discover the rules of society best suited to nations, a superior intelligence beholding all the passions of men without experiencing any of them would be needed. This intelligence would have to be wholly unrelated to our nature, while knowing it through and through; its happiness would have to be independent of us, and yet ready to occupy itself with ours; and lastly, it would have, in the march of time, to look forward to a distant glory, and, working in one century, to be able to enjoy in the next. It would take gods to give men laws. . . .

The legislator occupies in every respect an extraordinary position in the State. If he should do so by reason of his genius, he does so no less by reason of his office, which is neither magistracy, nor Sovereignty. This office, which sets up the Republic, nowhere enters into its constitution; it is an individual and superior function, which has nothing in common with human empire; for if he who holds command over men ought not to have command over the laws, he who has command over the laws ought not any more to have it over

men; or else his laws would be the ministers of his passions and would often merely serve to perpetuate his injustices: his private aims would inevitably mar the sanctity of his work.

When Lycurgus gave laws to his country, he began by resigning the throne. It was the custom of most Greek towns to entrust the establishment of their laws to foreigners. The Republics of modern Italy in many cases followed this example; Geneva did the same and profited by it.⁴ Rome, when it was most prosperous, suffered a revival of all the crimes of tyranny, and was brought to the verge of destruction, because it put the legislative authority and the sovereign power into the same hands.

Nevertheless, the decemvirs themselves never claimed the right to pass any law merely on their own authority. "Nothing we propose to you," they said to the people, "can pass into law without your consent. Romans, be yourselves the authors of the laws which are to make you happy."

He, therefore, who draws up the laws has, or should have, no right of legislation, and the people cannot, even if it wishes, deprive itself of this incommunicable right, because, according to the fundamental compact, only the general will can bind the individuals, and there can be no assurance that a particular will is in conformity with the general will, until it has been put to the free vote of the people. This I have said already; but it is worth while to repeat it. . . .

CHAPTER XI: THE VARIOUS SYSTEMS OF LEGISLATION

If we ask in what precisely consists the greatest good of all, which should be the end of every system of legislation, we shall find it reduce itself to two main objects, liberty and equality—liberty, because all particular dependence means so much force taken from the body of the State, and equality, because liberty cannot exist without it.

I have already defined civil liberty; by equality, we should understand, not that the degrees of power and riches are to be absolutely identical for everybody; but that power shall never be great enough for violence, and shall always be exercised by virtue of rank and law; and that, in respect of riches, no citizen shall ever be wealthy enough to buy another, and none poor enough to be forced to sell himself: which implies, on the part of the great, moderation in goods and position, and, on the side of the common sort, moderation in avarice and covetousness.

Such equality, we are told, is an unpractical ideal that cannot actually exist.

⁴ Those who know Calvin only as a theologian much underestimate the extent of his genius. The codification of our wise edicts, in which he played a large part, does him no less honour than his *Institute*. Whatever revolution time may bring in our religion, so long as the spirit of patriotism and liberty still lives among us, the memory of this great man will be for ever blessed.

But if its abuse is inevitable, does it follow that we should not at least make regulations concerning it? It is precisely because the force of circumstances tends continually to destroy equality that the force of legislation should always tend to its maintenance.

But these general objects of every good legislative system need modifying in every country in accordance with the local situation and the temper of the inhabitants; and these circumstances should determine, in each case, the particular system of institutions which is best, not perhaps in itself, but for the State for which it is destined. . . .

[*Book III*]

Before speaking of the different forms of government, let us try to fix the exact sense of the word, which has not yet been very clearly explained.

CHAPTER I: GOVERNMENT IN GENERAL

I warn the reader that this chapter requires careful reading, and that I am unable to make myself clear to those who refuse to be attentive.

Every free action is produced by the concurrence of two causes; one moral, *i. e.* the will which determines the act; the other physical, *i. e.* the power which executes it. When I walk towards an object, it is necessary first that I should will to go there, and, in the second place, that my feet should carry me. If a paralytic wills to run and an active man wills not to, they will both stay where they are. The body politic has the same motive powers; here too force and will are distinguished, will under the name of legislative power and force under that of executive power. Without their concurrence, nothing is, or should be, done.

We have seen that the legislative power belongs to the people, and can belong to it alone. It may, on the other hand, readily be seen, from the principles laid down above, that the executive power cannot belong to the generality as legislature or Sovereign, because it consists wholly of particular acts which fall outside the competency of the law, and consequently of the Sovereign, whose acts must always be laws.

The public force therefore needs an agent of its own to bind it together and set it to work under the direction of the general will, to serve as a means of communication between the State and the Sovereign, and to do for the collective person more or less what the union of soul and body does for man. Here we have what is, in the State, the basis of government, often wrongly confused with the Sovereign, whose minister it is.

What then is government? An intermediate body set up between the sub-

jects and the Sovereign, to secure their mutual correspondence, charged with the execution of the laws and the maintenance of liberty, both civil and political.

The members of this body are called magistrates or *kings*, that is to say *governors*, and the whole body bears the name *prince*. Thus those who hold that the act, by which a people puts itself under a prince, is not a contract, are certainly right. It is simply and solely a commission, an employment, in which the rulers, mere officials of the Sovereign, exercise in their own name the power of which it makes them depositaries. This power it can limit, modify or recover at pleasure; for the alienation of such a right is incompatible with the nature of the social body, and contrary to the end of association.

I call then *government*, or supreme administration, the legitimate exercise of the executive power, and prince or magistrate the man or the body entrusted with that administration.

In government reside the intermediate forces whose relations make up that of the whole to the whole, or of the Sovereign to the State. This last relation may be represented as that between the extreme terms of a continuous proportion, which has government as its mean proportional. The government gets from the Sovereign the orders it gives the people, and, for the State to be properly balanced, there must, when everything is reckoned in, be equality between the product of power of the government taken in itself, and the product or power of the citizens, who are on the one hand sovereign and on the other subject.

Furthermore, none of these three terms can be altered without the equality being instantly destroyed. If the Sovereign desires to govern, or the magistrate to give laws, or if the subjects refuse to obey, disorder takes the place of regularity, force and will no longer act together, and the State is dissolved and falls into despotism or anarchy. Lastly, as there is only one mean proportional between each relation, there is also only one good government possible for a State. But, as countless events may change the relations of a people, not only may different governments be good for different peoples, but also for the same people at different times.

In attempting to give some idea of the various relations that may hold between these two extreme terms, I shall take as an example the number of a people, which is the most easily expressible.

Suppose the State is composed of ten thousand citizens. The Sovereign can only be considered collectively and as a body; but each member, as being a subject, is regarded as an individual: thus the Sovereign is to the subject as ten thousand to one, *i. e.* each member of the State has as his share only a ten-thousandth part of the sovereign authority, although he is wholly under its control. If the people numbers a hundred thousand, the condition of the sub-

ject undergoes no change, and each equally is under the whole authority of the laws, while his vote, being reduced to one hundred thousandth part, has ten times less influence in drawing them up. The subject therefore remaining always a unit, the relation between him and the Sovereign increases with the number of the citizens. From this it follows that, the larger the State, the less the liberty.

When I say the relation increases, I mean that it grows more unequal. Thus the greater it is in the geometrical sense, the less relation there is in the ordinary sense of the word. In the former sense, the relation, considered according to quantity, is expressed by the quotient; in the latter, considered according to identity, it is reckoned by similarity.

Now, the less relation the particular wills have to the general will, that is, morals and manners to laws, the more should the repressive force be increased. The government, then, to be good, should be proportionately stronger as the people is more numerous.

On the other hand, as the growth of the State gives the depositaries of the public authority more temptations and chances of abusing their power, the greater the force with which the government ought to be endowed for keeping the people in hand, the greater too should be the force at the disposal of the Sovereign for keeping the government in hand. I am speaking, not of absolute force, but of the relative force of the different parts of the State.

It follows from this double relation that the continuous proportion between the Sovereign, the prince and the people, is by no means an arbitrary idea, but a necessary consequence of the nature of the body politic. It follows further that, one of the extreme terms, viz. the people, as subject, being fixed and represented by unity, whenever the duplicate ratio increases or diminishes, the simple ratio does the same, and is changed accordingly. From this we see that there is not a single unique and absolute form of government, but as many governments differing in nature as there are States differing in size.

If, ridiculing this system, any one were to say that, in order to find the mean proportional and give form to the body of the government, it is only necessary, according to me, to find the square root of the number of the people, I should answer that I am here taking this number only as an instance; that the relations of which I am speaking are not measured by the number of men alone, but generally by the amount of action, which is a combination of a multitude of causes; and that, further, if, to save words, I borrow for a moment the terms of geometry, I am none the less well aware that moral quantities do not allow of geometrical accuracy.

The government is on a small scale what the body politic which includes it is on a great one. It is a moral person endowed with certain faculties, active

like the Sovereign and passive like the State, and capable of being resolved into other similar relations. This accordingly gives rise to a new proportion, within which there is yet another, according to the arrangement of the magistracies, till an indivisible middle term is reached, *i. e.* a single ruler or supreme magistrate, who may be represented, in the midst of this progression, as the unity between the fractional and the ordinal series.

Without encumbering ourselves with this multiplication of terms, let us rest content with regarding government as a new body within the State, distinct from the people and the Sovereign, and intermediate between them.

There is between these two bodies this essential difference, that the State exists by itself, and the government only through the Sovereign. Thus the dominant will of the prince is, or should be, nothing but the general will or the law; his force is only the public force concentrated in his hands, and, as soon as he tries to base any absolute and independent act on his own authority, the tie that binds the whole together begins to be loosened. If finally the prince should come to have a particular will more active than the will of the Sovereign, and should employ the public force in his hands in obedience to this particular will, there would be, so to speak, two Sovereigns, one rightful and the other actual, the social union would evaporate instantly, and the body politic would be dissolved.

However, in order that the government may have a true existence and a real life distinguishing it from the body of the State, and in order that all its members may be able to act in concert and fulfil the end for which it was set up, it must have a particular personality, a sensibility common to its members, and a force and will of its own making for its preservation. This particular existence implies assemblies, councils, power of deliberation and decision, rights, titles, and privileges belonging exclusively to the prince and making the office of magistrate more honourable in proportion as it is more troublesome. The difficulties lie in the manner of so ordering this subordinate whole within the whole, that it in no way alters the general constitution by affirmation of its own, and always distinguishes the particular force it possesses, which is destined to aid in its preservation, from the public force, which is destined to the preservation of the State; and, in a word, is always ready to sacrifice the government to the people, and never to sacrifice the people to the government.

Furthermore, although the artificial body of the government is the work of another artificial body, and has, we may say, only a borrowed and subordinate life, this does not prevent it from being able to act with more or less vigour or promptitude, or from being, so to speak, in more or less robust health. Finally, without departing directly from the end for which it was

instituted, it may deviate more or less from it, according to the manner of its constitution.

From all these differences arise the various relations which the government ought to bear to the body of the State, according to the accidental and particular relations by which the State itself is modified, for often the government that is best in itself will become the most pernicious, if the relations in which it stands have altered according to the defects of the body politic to which it belongs.

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CHAPTER II: THE CONSTITUENT PRINCIPLE IN THE VARIOUS FORMS OF GOVERNMENT

To set forth the general cause of the above differences, we must here distinguish between government and its principle, as we did before between the State and the Sovereign.

The body of the magistrate may be composed of a greater or less number of members. We said that the relation of the Sovereign to the subjects was greater in proportion as the people was more numerous, and, by a clear analogy, we may say the same of the relation of the government to the magistrates.

But the total force of the government, being always that of the State, is invariable; so that, the more of this force it expends on its own members, the less it has left to employ on the whole people.

The more numerous the magistrates, therefore, the weaker the government. This principle being fundamental, we must do our best to make it clear.

In the person of the magistrate we can distinguish three essentially different wills: first, the private will of the individual, tending only to his personal advantage; secondly, the common will of the magistrates, which is relative solely to the advantage of the prince, and may be called corporate will, being general in relation to the government, and particular in relation to the State, of which the government forms part; and, in the third place, the will of the people or the sovereign will, which is general both in relation to the State regarded as the whole, and to the government regarded as a part of the whole.

In a perfect act of legislation, the individual or particular will should be at zero; the corporate will belonging to the government should occupy a very subordinate position; and, consequently, the general or sovereign will should always predominate and should be the sole guide of all the rest.

According to the natural order, on the other hand, these different wills become more active in proportion as they are concentrated. Thus, the general will is always the weakest, the corporate will second, and the individual will strongest of all: so that, in the government, each member is first of all him-

self, then a magistrate, and then a citizen—in an order exactly the reverse of what the social system requires.

This granted, if the whole government is in the hands of one man, the particular and the corporate will are wholly united, and consequently the latter is at its highest possible degree of intensity. But, as the use to which the force is put depends on the degree reached by the will, and as the absolute force of the government is invariable, it follows that the most active government is that of one man.

Suppose, on the other hand, we unite the government with the legislative authority, and make the Sovereign prince also, and all the citizens so many magistrates: then the corporate will, being confounded with the general will, can possess no greater activity than that will, and must leave the particular will as strong as it can possibly be. Thus, the government, having always the same absolute force, will be at the lowest point of its relative force or activity.

These relations are incontestable, and there are other considerations which still further confirm them. We can see, for instance, that each magistrate is more active in the body to which he belongs than each citizen in that to which he belongs, and that consequently the particular will has much more influence on the acts of the government than on those of the Sovereign; for each magistrate is almost always charged with some governmental function, while each citizen, taken singly, exercises no function of Sovereignty. Furthermore, the bigger the State grows, the more its real force increases, though not in direct proportion to its growth; but, the State remaining the same, the number of magistrates may increase to any extent, without the government gaining any greater real force; for its force is that of the State, the dimension of which remains equal. Thus the relative force or activity of the government decreases, while its absolute or real force cannot increase.

Moreover, it is a certainty that promptitude in execution diminishes as more people are put in charge of it: where prudence is made too much of, not enough is made of fortune; opportunity is let slip, and deliberation results in the loss of its object.

I have just proved that the government grows remiss in proportion as the number of the magistrates increases; and I previously proved that, the more numerous the people, the greater should be the repressive force. From this it follows that the relation of the magistrates to the government should vary inversely to the relation of the subjects to the Sovereign; that is to say, the larger the State, the more should the government be tightened, so that the number of the rulers diminish in proportion to the increase of that of the people.

It should be added that I am here speaking of the relative strength of the

government, and not of its rectitude: for, on the other hand, the more numerous the magistracy, the nearer the corporate will comes to the general will; while, under a single magistrate, the corporate will is, as I said, merely a particular will. Thus, what may be gained on one side is lost on the other, and the art of the legislator is to know how to fix the point at which the force and the will of the government, which are always in inverse proportion, meet in the relation that is most to the advantage of the State.

CHAPTER III: THE DIVISION OF GOVERNMENTS

We saw in the last chapter what causes the various kinds or forms of government to be distinguished according to the number of the members composing them; it remains in this to discover how the division is made.

In the first place, the Sovereign may commit the charge of the government to the whole people or to the majority of the people, so that more citizens are magistrates than are mere private individuals. This form of government is called *democracy*.

Or it may restrict the government to a small number, so that there are more private citizens than magistrates; and this is named *aristocracy*.

Lastly, it may concentrate the whole government in the hands of a single magistrate from whom all others hold their power. This third form is the most usual, and is called *monarchy*, or royal government.

It should be remarked that all these forms, or at least the first two, admit of degree, and even of very wide differences; for democracy may include the whole people, or may be restricted to half. Aristocracy, in its turn, may be restricted indefinitely from half the people down to the smallest possible number. Even royalty is susceptible of a measure of distribution. Sparta always had two kings, as its constitution provided; and the Roman Empire saw as many as eight emperors at once, without it being possible to say that the Empire was split up. Thus there is a point at which each form of government passes into the next, and it becomes clear that, under three comprehensive denominations, government is really susceptible of as many diverse forms as the State has citizens.

There are even more: for, as the government may also, in certain aspects, be subdivided into other parts, one administered in one fashion and one in another, the combination of the three forms may result in a multitude of mixed forms, each of which admits of multiplication by all the simple forms.

There has been at all times much dispute concerning the best form of government, without consideration of the fact that each is in some cases the best, and in others the worst.

If, in the different States, the number of supreme magistrates should be in

inverse ratio to the number of citizens, it follows that, generally, democratic government suits small States, aristocratic government those of middle size, and monarchy great ones. This rule is immediately deducible from the principle laid down. But it is impossible to count the innumerable circumstances which may furnish exceptions.

CHAPTER IV: DEMOCRACY

He who makes the law knows better than any one else how it should be executed and interpreted. It seems then impossible to have a better constitution than that in which the executive and legislative powers are united; but this very fact renders the government in certain respects inadequate, because things which should be distinguished are confounded, and the prince and the Sovereign, being the same person, form, so to speak, no more than a government without government.

It is not good for him who makes the laws to execute them, or for the body of the people to turn its attention away from a general standpoint and devote it to particular objects. Nothing is more dangerous than the influence of private interests in public affairs, and the abuse of the laws by the government is a less evil than the corruption of the legislator, which is the inevitable sequel to a particular standpoint. In such a case, the State being altered in substance, all reformation becomes impossible. A people that would never misuse governmental powers would never misuse independence; a people that would always govern well would not need to be governed.

If we take the term in the strict sense, there never has been a real democracy, and there never will be. It is against the natural order for the many to govern and the few to be governed. It is unimaginable that the people should remain continually assembled to devote their time to public affairs, and it is clear that they cannot set up commissions for that purpose without the form of administration being changed.

In fact, I can confidently lay down as a principle that, when the functions of government are shared by several tribunals, the less numerous sooner or later acquire the greatest authority, if only because they are in a position to expedite affairs, and power thus naturally comes into their hands.

Besides, how many conditions that are difficult to unite does such a government presuppose! First, a very small State, where the people can readily be got together and where each citizen can with ease know all the rest; secondly, great simplicity of manners, to prevent business from multiplying and raising thorny problems; next, a large measure of equality in rank and fortune, without which equality of rights and authority cannot long subsist; lastly, little or no luxury—for luxury either comes of riches or makes them necessary; it

corrupts at once rich and poor, the rich by possession and the poor by covetousness; it sells the country to softness and vanity, and takes away from the State all its citizens, to make them slaves one to another, and one and all to public opinion.

This is why a famous writer has made virtue the fundamental principle of Republics; for all these conditions could not exist without virtue. But, for want of the necessary distinctions, that great thinker was often inexact, and sometimes obscure, and did not see that, the sovereign authority being everywhere the same, the same principle should be found in every well-constituted State, in a greater or less degree, it is true, according to the form of the government.

It may be added that there is no government so subject to civil wars and intestine agitations as democratic or popular government, because there is none which has so strong and continual a tendency to change to another form, or which demands more vigilance and courage for its maintenance as it is. Under such a constitution above all, the citizen should arm himself with strength and constancy, and say, every day of his life, what a virtuous Count Palatine said in the Diet of Poland: *Malo periculosam libertatem quam quietum servitium*.⁵

Were there a people of gods, their government would be democratic. So perfect a government is not for men.

CHAPTER V: ARISTOCRACY

We have here two quite distinct moral persons, the government and the Sovereign, and in consequence two general wills, one general in relation to all the citizens, the other only for the members of the administration. Thus, although the government may regulate its internal policy as it pleases, it can never speak to the people save in the name of the Sovereign, that is, of the people itself, a fact which must not be forgotten.

The first societies governed themselves aristocratically. The heads of families took counsel together on public affairs. The young bowed without question to the authority of experience. Hence such names as *priest*, *elders*, *senate*, and *gerontes*. The savages of North America govern themselves in this way even now, and their government is admirable.

But, in proportion as artificial inequality produced by institutions became predominant over natural inequality, riches or power were put before age, and aristocracy became elective. Finally, the transmission of the father's power along with his goods to his children, by creating patrician families, made government hereditary, and there came to be senators of twenty.

There are then three sorts of aristocracy—natural, elective and hereditary. The first is only for simple peoples; the third is the worst of all governments; the second is the best, and is aristocracy properly so called.

⁵ [I prefer dangerous liberty to peaceful servitude.]

Besides the advantage that lies in the distinction between the two powers, it presents that of its members being chosen; for, in popular government, all the citizens are born magistrates; but here magistracy is confined to a few, who become such only by election. By this means uprightness, understanding, experience and all other claims to pre-eminence and public esteem become so many further guarantees of wise government.

Moreover, assemblies are more easily held, affairs better discussed and carried out with more order and diligence, and the credit of the State is better sustained abroad by venerable senators than by a multitude that is unknown or despised.

In a word, it is the best and most natural arrangement that the wisest should govern the many, when it is assured that they will govern for its profit, and not for their own. There is no need to multiply instruments, or get twenty thousand men to do what a hundred picked men can do even better. But it must not be forgotten that corporate interest here begins to direct the public power less under the regulation of the general will, and that a further inevitable propensity takes away from the laws part of the executive power.

If we are to speak of what is individually desirable, neither should the State be so small, nor a people so simple and upright, that the execution of the laws follows immediately from the public will, as it does in a good democracy. Nor should the nation be so great that the rulers have to scatter in order to govern it and are able to play the Sovereign each in his own department, and, beginning by making themselves independent, end by becoming masters.

But if aristocracy does not demand all the virtues needed by popular government, it demands others which are peculiar to itself; for instance, moderation on the side of the rich and contentment on that of the poor; for it seems that thorough-going equality would be out of place, as it was not found even at Sparta.

Furthermore, if this form of government carries with it a certain inequality of fortune, this is justifiable in order that as a rule the administration of public affairs may be entrusted to those who are most able to give them their whole time, but not, as Aristotle maintains, in order that the rich may always be put first. On the contrary, it is of importance that an opposite choice should occasionally teach the people that the deserts of men offer claims to pre-eminence more important than those of riches.

CHAPTER VI: MONARCHY

So far, we have considered the prince as a moral and collective person, unified by the force of the laws, and the depositary in the State of the executive power. We have now to consider this power when it is gathered together into the hands of a natural person, a real man, who alone has the right to

dispose of it in accordance with the laws. Such a person is called a monarch or king.

In contrast with other forms of administration, in which a collective being stands for an individual, in this form an individual stands for a collective being; so that the moral unity that constitutes the prince is at the same time a physical unity, and all the qualities, which in the other case are only with difficulty brought together by the law, are found naturally united.

Thus the will of the people, the will of the prince, the public force of the State, and the particular force of the government, all answer to a single motive power; all the springs of the machine are in the same hands, the whole moves towards the same end; there are no conflicting movements to cancel one another, and no kind of constitution can be imagined in which a less amount of effort produces a more considerable amount of action. Archimedes, seated quietly on the bank and easily drawing a great vessel afloat, stands to my mind for a skilful monarch, governing vast states from his study, and moving everything while he seems himself unmoved.

But if no government is more vigorous than this, there is also none in which the particular will holds more sway and rules the rest more easily. Everything moves towards the same end indeed, but this end is by no means that of the public happiness, and even the force of the administration constantly shows itself prejudicial to the State.

Kings desire to be absolute, and men are always crying out to them from afar that the best means of being so is to get themselves loved by their people. This precept is all very well, and even in some respects very true. Unfortunately, it will always be derided at court. The power which comes of a people's love is no doubt the greatest; but it is precarious and conditional, and princes will never rest content with it. The best kings desire to be in a position to be wicked, if they please, without forfeiting their mastery: political sermonisers may tell them to their hearts' content that, the people's strength being their own, their first interest is that the people should be prosperous, numerous and formidable; they are well aware that this is untrue. Their first personal interest is that the people should be weak, wretched, and unable to resist them. I admit that, provided the subjects remained always in submission, the prince's interest would indeed be that it should be powerful, in order that its power, being his own, might make him formidable to his neighbours; but, this interest being merely secondary and subordinate, and strength being incompatible with submission, princes naturally give the preference always to the principle that is more to their immediate advantage. This is what Samuel put strongly before the Hebrews, and what Machiavelli has clearly shown. He professed to teach kings; but it was the people he really taught. His *Prince* is the book of Republicans.

We found, on general grounds, that monarchy is suitable only for great States, and this is confirmed when we examine it in itself. The more numerous the public administration, the smaller becomes the relation between the prince and the subjects, and the nearer it comes to equality, so that in democracy the ratio is unity, or absolute equality. Again, as the government is restricted in numbers the ratio increases and reaches its *maximum* when the government is in the hands of a single person. There is then too great a distance between prince and people, and the State lacks a bond of union. To form such a bond, there must be intermediate orders, and princes, personages and nobility to compose them. But no such things suit a small State, to which all class differences mean ruin.

If, however, it is hard for a great State to be well governed, it is much harder for it to be so by a single man; and every one knows what happens when kings substitute others for themselves.

An essential and inevitable defect, which will always rank monarchical below republican government, is that in a republic the public voice hardly ever raises to the highest positions men who are not enlightened and capable, and such as to fill them with honour; while in monarchies those who rise to the top are most often merely petty blunderers, petty swindlers, and petty intriguers, whose petty talents cause them to get into the highest positions at Court, but, as soon as they have got there, serve only to make their ineptitude clear to the public. The people is far less often mistaken in its choice than the prince; and a man of real worth among the king's ministers is almost as rare as a fool at the head of a republican government. Thus, when, by some fortunate chance, one of those born governors takes the helm of State in some monarchy that has been nearly overwhelmed by swarms of "gentlemanly" administrators, there is nothing but amazement at the resources he discovers, and his coming marks an era in his country's history.

For a monarchical State to have a chance of being well governed, its population and extent must be proportionate to the abilities of its governor. It is easier to conquer than to rule. With a long enough lever, the world could be moved with a single finger; to sustain it needs the shoulders of Hercules. However small a State may be, the prince is hardly ever big enough for it. When, on the other hand, it happens that the State is too small for its ruler, in these rare cases too it is ill governed, because the ruler, constantly pursuing his great designs, forgets the interests of the people, and makes it no less wretched by misusing the talents he has, than a ruler of less capacity would make it for want of those he had not. A kingdom should, so to speak, expand or contract with each reign, according to the prince's capabilities; but, the abilities of a senate being more constant in quantity, the State can then have permanent frontiers without the administration suffering. . . .

CHAPTER IX: THE MARKS OF A GOOD GOVERNMENT

The question "What absolutely is the best government?" is unanswerable as well as indeterminate; or rather, there are as many good answers as there are possible combinations in the absolute and relative situations of all nations.

But if it is asked by what sign we may know that a given people is well or ill governed, that is another matter, and the question, being one of fact, admits of an answer.

It is not, however, answered, because every-one wants to answer it in his own way. Subjects extol public tranquillity, citizens individual liberty; the one class prefers security of possessions, the other that of person; the one regards as the best government that which is most severe, the other maintains that the mildest is the best; the one wants crimes punished, the other wants them prevented; the one wants the State to be feared by its neighbours, the other prefers that it should be ignored; the one is content if money circulates, the other demands that the people shall have bread. Even if an agreement were come to on these and similar points, should we have got any further? As moral qualities do not admit of exact measurement, agreement about the mark does not mean agreement about the valuation.

For my part, I am continually astonished that a mark so simple is not recognised, or that men are of so bad faith as not to admit it. What is the end of political association? The preservation and prosperity of its members. And what is the surest mark of their preservation and prosperity? Their numbers and population. Seek then nowhere else this mark that is in dispute. The rest being equal, the government under which, without external aids, without naturalisation or colonies, the citizens increase and multiply most, is beyond question the best. The government under which a people wanes and diminishes is the worst. Calculators, it is left for you to count, to measure, to compare.

CHAPTER XI: THE DEATH OF THE BODY POLITIC

. . . If Sparta and Rome perished, what State can hope to endure for ever? If we would set up a long-lived form of government, let us not even dream of making it eternal. If we are to succeed, we must not attempt the impossible, or flatter ourselves that we are endowing the work of man with a stability of which human conditions do not permit.

The body politic, as well as the human body, begins to die as soon as it is born, and carries in itself the causes of its destruction. But both may have a constitution that is more or less robust and suited to preserve them a longer or a shorter time. The constitution of man is the work of nature; that of the State the work of art. It is not in men's power to prolong their own lives; but

it is for them to prolong as much as possible the life of the State, by giving it the best possible constitution. The best constituted State will have an end; but it will end later than any other, unless some unforeseen accident brings about its untimely destruction.

The life-principle of the body politic lies in the sovereign authority. The legislative power is the heart of the State; the executive power is its brain, which causes the movement of all the parts. The brain may become paralysed and the individual still live. A man may remain an imbecile and live; but as soon as the heart ceases to perform its functions, the animal is dead.

The State subsists by means not of the laws, but of the legislative power. Yesterday's law is not binding today; but silence is taken for tacit consent, and the Sovereign is held to confirm incessantly the laws it does not abrogate as it might. All that it has once declared itself to will it wills always, unless it revokes its declaration.

Why then is so much respect paid to old laws? For this very reason. We must believe that nothing but the excellence of old acts of will can have preserved them so long: if the Sovereign had not recognised them as throughout salutary, it would have revoked them a thousand times. This is why, so far from growing weak, the laws continually gain new strength in any well constituted State; the precedent of antiquity makes them daily more venerable: while wherever the laws grow weak as they become old, this proves that there is no longer a legislative power, and that the State is dead. . . .

CHAPTER XV: DEPUTIES OR REPRESENTATIVES

As soon as public service ceases to be the chief business of the citizens, and they would rather serve with their money than with their persons, the State is not far from its fall. When it is necessary to march out to war, they pay troops and stay home: when it is necessary to meet in council, they name deputies and stay at home. By reason of idleness and money, they end by having soldiers to enslave their country and representatives to sell it.

It is through the hustle of commerce and the arts, through the greedy self-interest of profit, and through softness and love of amenities that personal services are replaced by money payments. Men surrender a part of their profits in order to have time to increase them at leisure. Make gifts of money, and you will not be long without chains. The word *finance* is a slavish word, unknown in the city-state. In a country that is truly free, the citizens do everything with their own arms and nothing by means of money; so far from paying to be exempted from their duties, they would even pay for the privilege of fulfilling them themselves. I am far from taking the common view: I hold enforced labour to be less opposed to liberty than taxes.

The better the constitution of a State is, the more do public affairs encroach on private in the minds of the citizens. Private affairs are even of much less importance, because the aggregate of the common happiness furnishes a greater proportion of that of each individual, so that there is less for him to seek in particular cares. In a well-ordered city every man flies to the assemblies: under a bad government no one cares to stir a step to get to them, because no one is interested in what happens there, because it is foreseen that the general will will not prevail, and lastly because domestic cares are all-absorbing. Good laws lead to the making of better ones; bad ones bring about worse. As soon as any man says of the affairs of the State *What does it matter to me?* the State may be given up for lost.

The lukewarmness of patriotism, the activity of private interest, the vastness of States, conquest and the abuse of government suggest the method of having deputies or representatives of the people in the national assemblies. These are what, in some countries, men have presumed to call the Third Estate. Thus the individual interest of two orders is put first and second; the public interest occupies only the third place.

Sovereignty, for the same reason as makes it inalienable, cannot be represented; it lies essentially in the general will, and will does not admit of representation: it is either the same, or other; there is no intermediate possibility. The deputies of the people, therefore, are not and cannot be its representatives: they are merely its stewards, and can carry through no definitive acts. Every law the people has not ratified in person is null and void—is, in fact, not a law. The people of England regards itself as free; but it is grossly mistaken; it is free only during the election of members of parliament. As soon as they are elected, slavery overtakes it, and it is nothing. The use it makes of the short moments of liberty it enjoys shows indeed that it deserves to lose them.

The idea of representation is modern; it comes to us from feudal government, from that iniquitous and absurd system which degrades humanity and dishonours the name of man. In ancient republics and even in monarchies, the people never had representatives; the word itself was unknown. It is very singular that in Rome, where the tribunes were so sacrosanct, it was never even imagined that they could usurp the functions of the people, and that in the midst of so great a multitude they never attempted to pass on their own authority a single plebiscitum. We can, however, form an idea of the difficulties caused sometimes by the people being so numerous, from what happened in the time of the Gracchi, when some of the citizens had to cast their votes from the roofs of buildings.

Where right and liberty are everything, disadvantages count for nothing. Among this wise people everything was given its just value, its lictors were

allowed to do what its tribunes would never have dared to attempt; for it had no fear that its lictors would try to represent it.

To explain, however, in what way the tribunes did sometimes represent it, it is enough to conceive how the government represents the Sovereign. Law being purely the declaration of the general will, it is clear that, in the exercise of the legislative power, the people cannot be represented; but in that of the executive power, which is only the force that is applied to give the law effect, it both can and should be represented. We thus see that if we looked closely into the matter we should find that very few nations have any laws. However that may be, it is certain that the tribunes, possessing no executive power, could never represent the Roman people by right of the powers entrusted to them, but only by usurping those of the senate.

In Greece, all that the people had to do, it did for itself; it was constantly assembled in the public square. The Greeks lived in a mild climate; they had no natural greed; slaves did their work for them; their great concern was with liberty. Lacking the same advantages, how can you preserve the same rights? Your severer climates add to your needs; for half the year your public squares are uninhabitable; the flatness of your languages unfits them for being heard in the open air; you sacrifice more for profit than for liberty, and fear slavery less than poverty.

What then? Is liberty maintained only by the help of slavery? It may be so. Extremes meet. Everything that is not in the course of nature has its disadvantages, civil society most of all. There are some unhappy circumstances in which we can only keep our liberty at others' expense, and where the citizen can be perfectly free only when the slave is most a slave. Such was the case with Sparta. As for you, modern peoples, you have no slaves, but you are slaves yourselves; you pay for their liberty with your own. It is in vain that you boast of this preference; I find in it more cowardice than humanity.

I do not mean by all this that it is necessary to have slaves, or that the right of slavery is legitimate: I am merely giving the reasons why modern peoples, believing themselves to be free, have representatives, while ancient peoples had none. In any case, the moment a people allows itself to be represented, it is no longer free: it no longer exists.

All things considered, I do not see that it is possible henceforth for the Sovereign to preserve among us the exercise of its rights, unless the city is very small. But if it is very small, it will be conquered? No. I will show later on how the external strength of a great people may be combined with the convenient polity and good order of a small State.⁶

⁶ [Rousseau never carried this project to completion.]

CHAPTER XVI: THAT THE INSTITUTION OF GOVERNMENT IS NOT A CONTRACT

The legislative power once well established, the next thing is to establish similarly the executive power; for this latter, which operates only by particular acts, not being of the essence of the former, is naturally separate from it. Were it possible for the Sovereign, as such, to possess the executive power, right and fact would be so confounded that no one could tell what was law and what was not; and the body politic, thus disfigured, would soon fall a prey to the violence it was instituted to prevent.

As the citizens, by the social contract, are all equal, all can prescribe what all should do, but no one has a right to demand that another shall do what he does not do himself. It is strictly this right, which is indispensable for giving the body politic life and movement, that the Sovereign, in instituting the government, confers upon the prince.

It has been held that this act of establishment was a contract between the people and the rulers it sets over itself,—a contract in which conditions were laid down between the two parties binding the one to command and the other to obey. It will be admitted, I am sure, that this is an odd kind of contract to enter into. But let us see if this view can be upheld.

First, the supreme authority can no more be modified than it can be alienated; to limit it is to destroy it. It is absurd and contradictory for the Sovereign to set a superior over itself; to bind itself to obey a master would be to return to absolute liberty.

Moreover, it is clear that this contract between the people and such and such persons would be a particular act; and from this it follows that it can be neither law nor an act of Sovereignty, and that consequently it would be illegitimate.

It is plain too that the contracting parties in relation to each other would be under the law of nature alone and wholly without guarantees of their mutual understandings, a position wholly at variance with the civil state. He who has force at his command being always in a position to control execution, it would come to the same thing if the name "contract" were given to the act of one man who said to another; "I give you all my goods, on condition that you give me back as much of them as you please."

There is only one contract in the State, and that is the act of association, which in itself excludes the existence of a second. It is impossible to conceive of any public contract that would not be a violation of the first. . . .

[Book IV]

CHAPTER I: THAT THE GENERAL WILL IS INDESTRUCTIBLE

As long as several men in assembly regard themselves as a single body, they have only a single will which is concerned with their common preservation and general well-being. In this case, all the springs of the State are vigorous and simple and its rules clear and luminous; there are no embroilments or conflicts of interests; the common good is everywhere clearly apparent, and only good sense is needed to perceive it. Peace, unity and equality are the enemies of political subtleties. Men who are upright and simple are difficult to deceive because of their simplicity; lures and ingenious pretexts fail to impose upon them, and they are not even subtle enough to be dupes. When, among the happiest people in the world, bands of peasants are seen regulating affairs of State under an oak, and always acting wisely, can we help scorning the ingenious methods of other nations, which make themselves illustrious and wretched with so much art and mystery?

A State so governed needs very few laws; and, as it becomes necessary to issue new ones, the necessity is universally seen. The first man to propose them merely says what all have already felt, and there is no question of factions or intrigues or eloquence in order to secure the passage into law of what every one has already decided to do, as soon as he is sure that the rest will act with him.

Theorists are led into error because, seeing only States that have been from the beginning wrongly constituted, they are struck by the impossibility of applying such a policy to them. They make great game of all the absurdities a clever rascal or an insinuating speaker might get the people of Paris or London to believe. They do not know that Cromwell would have been put to "the bells" by the people of Berne, and the Duc de Beaufort on the treadmill by the Genevese.

But when the social bond begins to be relaxed and the State to grow weak, when particular interests begin to make themselves felt and the smaller societies to exercise an influence over the larger, the common interest changes and finds opponents: opinion is no longer unanimous; the general will ceases to be the will of all; contradictory views and debates arise; and the best advice is not taken without question.

Finally, when the State, on the eve of ruin, maintains only a vain, illusory and formal existence, when in every heart the social bond is broken, and the meanest interest brazenly lays hold of the sacred name of "public good," the general will becomes mute: all men, guided by secret motives, no more give their views as citizens than if the State had never been; and iniquitous de-

crees directed solely to private interest get passed under the name of laws.

Does it follow from this that the general will is exterminated or corrupted? Not at all: it is always constant, unalterable and pure; but it is subordinated to other wills which encroach upon its sphere. Each man, in detaching his interest from the common interest, sees clearly that he cannot entirely separate them; but his share in the public mishaps seems to him negligible beside the exclusive good he aims at making his own. Apart from this particular good, he wills the general good in his own interest, as strongly as any one else. Even in selling his vote for money, he does not extinguish in himself the general will, but only eludes it. The fault he commits is that of changing the state of the question, and answering something different from what he is asked. Instead of saying, by his vote, "It is to the advantage of the State," he says, "It is of advantage to this or that man or party that this or that view should prevail." Thus the law of public order in assemblies is not so much to maintain in them the general will as to secure that the question be always put to it, and the answer always given by it.

I could here set down many reflections on the simple right of voting in every act of Sovereignty—a right which no one can take from the citizens—and also on the right of stating views, making proposals, dividing and discussing, which the government is always most careful to leave solely to its members; but this important subject would need a treatise to itself, and it is impossible to say everything in a single work.

CHAPTER VI: THE DICTATORSHIP

The inflexibility of the laws, which prevents them from adapting themselves to circumstances, may, in certain cases, render them disastrous, and make them bring about, at a time of crisis, the ruin of the State. The order and slowness of the forms they enjoin require a space of time which circumstances sometimes withhold. A thousand cases against which the legislator has made no provision may present themselves, and it is a highly necessary part of foresight to be conscious that everything cannot be foreseen.

It is wrong therefore to wish to make political institutions so strong as to render it impossible to suspend their operation. Even Sparta allowed its laws to lapse.

However, none but the greatest dangers can counter-balance that of changing the public order, and the sacred power of the laws should never be arrested save when the existence of the country is at stake. In these rare and obvious cases, provision is made for the public security by a particular act entrusting it to him who is most worthy. This commitment may be carried out in either of two ways, according to the nature of the danger.

If increasing the activity of the government is a sufficient remedy, power is concentrated in the hands of one or two of its members: in this case the change is not in the authority of the laws, but only in the form of administering them. If, on the other hand, the peril is of such a kind that the paraphernalia of the laws are an obstacle to their preservation, the method is to nominate a supreme ruler, who shall silence all the laws and suspend for a moment the sovereign authority. In such a case, there is no doubt about the general will, and it is clear that the people's first intention is that the State shall not perish. Thus the suspension of the legislative authority is in no sense its abolition; the magistrate who silences it cannot make it speak; he dominates it, but cannot represent it. He can do anything, except make laws. . . .

However this important trust be conferred, it is important that its duration should be fixed at a very brief period, incapable of being ever prolonged. In the crises which lead to its adoption, the State is either soon lost, or soon saved; and, the present need passed, the dictatorship becomes either tyrannical or idle. At Rome, where dictators held office for six months only, most of them abdicated before their time was up. If their term had been longer, they might well have tried to prolong it still further, as the decemvirs did when chosen for a year. The dictator had only time to provide against the need that had caused him to be chosen; he had none to think of further projects.

CHAPTER VIII: CIVIL RELIGION

. . . Religion, considered in relation to society, which is either general or particular, may also be divided into two kinds: the religion of man, and that of the citizen. The first, which has neither temples, nor altars, nor rites, and is confined to the purely internal cult of the supreme God and the eternal obligations of morality, is the religion of the Gospel pure and simple, the true theism, what may be called natural divine right or law. The other, which is codified in a single country, gives it its gods, its own tutelary patrons; it has its dogmas, its rites, and its external cult prescribed by law; outside the single nation that follows it, all the world is in its sight infidel, foreign and barbarous; the duties and rights of man extend for it only as far as its own altars. Of this kind were all the religions of early peoples, which we may define as civil or positive divine right or law.

There is a third sort of religion of a more singular kind, which gives men two codes of legislation, two rulers, and two countries, renders them subject to contradictory duties, and makes it impossible for them to be faithful both to religion and to citizenship. Such are the religions of the Lamas and of the Japanese, and such is Roman Christianity, which may be called the religion of the priest. It leads to a sort of mixed and anti-social code which has no name.

In their political aspect, all these three kinds of religion have their defects. The third is so clearly bad, that it is waste of time to stop to prove it such. All that destroys social unity is worthless; all institutions that set man in contradiction to himself are worthless.

The second is good in that it unites the divine cult with love of the laws, and, making country the object of the citizens' adoration, teaches them that service done to the State is service done to its tutelary god. It is a form of theocracy, in which there can be no pontiff save the prince, and no priests save the magistrates. To die for one's country then becomes martyrdom; violation of its laws, impiety; and to subject one who is guilty to public execration is to condemn him to the anger of the gods: *Sacer est od.*

On the other hand, it is bad in that, being founded on lies and error, it deceives men, makes them credulous and superstitious, and drowns the true cult of the Divinity in empty ceremonial. It is bad, again, when it becomes tyrannous and exclusive, and makes a people bloodthirsty and intolerant, so that it breathes fire and slaughter, and regards as a sacred act the killing of every one who does not believe in its gods. The result is to place such a people in a natural state of war with all others, so that its security is deeply endangered.

There remains therefore the religion of man or Christianity—not the Christianity of to-day, but that of the Gospel, which is entirely different. By means of this holy, sublime, and real religion all men, being children of one God, recognise one another as brothers, and the society that unites them is not dissolved even at death.

But this religion, having no particular relation to the body politic, leaves the laws in possession of the force they have in themselves without making any addition to it; and thus one of the great bonds that unite society considered in severalty fails to operate. Nay, more, so far from binding the hearts of the citizens to the State, it has the effect of taking them away from all earthly things. I know of nothing more contrary to the social spirit.

We are told that a people of true Christians would form the most perfect society imaginable. I see in this supposition only one great difficulty: that a society of true Christians would not be a society of men.

I say further that such a society, with all its perfection, would be neither the strongest nor the most lasting: the very fact that it was perfect would rob it of its bond of union; the flaw that would destroy it would lie in its very perfection.

Every one would do his duty; the people be law-abiding, the rulers just and temperate; the magistrates upright and incorruptible; the soldiers would scorn

death; there would be neither vanity nor luxury. So far, so good; but let us hear more.

Christianity as a religion is entirely spiritual, occupied solely with heavenly things; the country of the Christian is not of this world. He does his duty, indeed, but does it with profound indifference to the good or ill success of his cares. Provided he has nothing to reproach himself with, it matters little to him whether things go well or ill here on earth. If the State is prosperous, he hardly dares to share in the public happiness, for fear he may grow proud of his country's glory; if the State is languishing, he blesses the hand of God that is hard upon His people.

For the State to be peaceable and for harmony to be maintained, all the citizens without exception would have to be good Christians; if by ill hap there should be a single self-seeker or hypocrite, a Catiline or a Cromwell, for instance, he would certainly get the better of his pious compatriots. Christian charity does not readily allow a man to think hardly of his neighbours. As soon as, by some trick, he has discovered the art of imposing on them and getting hold of a share in the public authority, you have a man established in dignity; it is the will of God that he be respected: very soon you have a power; it is God's will that it be obeyed: and if the power is abused by him who wields it, it is the scourge wherewith God punishes His children. There would be scruples about driving out the usurper: public tranquillity would have to be disturbed, violence would have to be employed, and blood spilt; all this accords ill with Christian meekness; and after all, in this vale of sorrows, what does it matter whether we are free men or serfs? The essential thing is to get to heaven, and resignation is only an additional means of doing so.

If war breaks out with another State, the citizens march readily out to battle; not one of them thinks of flight; they do their duty, but they have no passion for victory; they know better how to die than how to conquer. What does it matter whether they win or lose? Does not Providence know better than they what is meet for them? Only think to what account a proud, impetuous and passionate enemy could turn their stoicism! Set over against them those generous peoples who were devoured by ardent love of glory and of their country, imagine your Christian republic face to face with Sparta or Rome: the pious Christians will be beaten, crushed and destroyed, before they know where they are, or will owe their safety only to the contempt their enemy will conceive for them. It was to my mind a fine oath that was taken by the soldiers of Fabius, who swore, not to conquer or die, but to come back victorious—and kept their oath. Christians would never have taken such an oath; they would have looked on it as tempting God.

But I am mistaken in speaking of a Christian republic; the terms are mutually exclusive. Christianity preaches only servitude and dependence. Its spirit is so favourable to tyranny that it always profits by such a *régime*. True Christians are made to be slaves, and they know it and do not much mind: this short life counts for too little in their eyes.

I shall be told that Christian troops are excellent. I deny it. Show me an instance. For my part, I know of no Christian troops. I shall be told of the Crusades. Without disputing the valour of the Crusaders, I answer that, so far from being Christians, they were the priests' soldiery, citizens of the Church. They fought for their spiritual country, which the Church had, somehow or other, made temporal. Well understood, this goes back to paganism: as the Gospel sets up no national religion, a holy war is impossible among Christians.

Under the pagan emperors, the Christian soldiers were brave; every Christian writer affirms it, and I believe it: it was a case of honourable emulation of the pagan troops. As soon as the emperors were Christian, this emulation no longer existed, and, when the Cross had driven out the eagle, Roman valour wholly disappeared.

But, setting aside political considerations, let us come back to what is right, and settle our principles on this important point. The right which the social compact gives the Sovereign over the subjects does not, we have seen, exceed the limits of public expediency. The subjects then owe the Sovereign an account of their opinions only to such an extent as they matter to the community. Now, it matters very much to the community that each citizen should have a religion. That will make him love his duty; but the dogmas of that religion concern the State and its members only so far as they have reference to morality and to the duties which he who professes them is bound to do to others. Each man may have, over and above, what opinions he pleases, without it being the Sovereign's business to take cognisance of them; for, as the Sovereign has no authority in the other world, whatever the lot of its subjects may be in the life to come, that is not its business, provided they are good citizens in this life.

There is therefore a purely civil profession of faith of which the Sovereign should fix the articles, not exactly as religious dogmas, but as social sentiments without which a man cannot be a good citizen or a faithful subject. While it can compel no one to believe them, it can banish from the State whoever does not believe them—it can banish him, not for impiety, but as an anti-social being, incapable of truly loving the laws and justice, and of sacrificing, at need, his life to his duty. If any one, after publicly recognising these dogmas, behaves as if he does not believe them, let him be punished by death: he has committed the worst of all crimes, that of lying before the law.

The dogmas of civil religion ought to be few, simple, and exactly worded,

without explanation or commentary. The existence of a mighty, intelligent and beneficent Divinity, possessed of foresight and providence, the life to come, the happiness of the just, the punishment of the wicked, the sanctity of the social contract and the laws: these are its positive dogmas. Its negative dogmas I confine to one, intolerance, which is a part of the cults we have rejected.

Those who distinguish civil from theological intolerance are, to my mind, mistaken. The two forms are inseparable. It is impossible to live at peace with those we regard as damned; to love them would be to hate God who punishes them: we positively must either reclaim or torment them. Wherever theological intolerance is admitted, it must inevitably have some civil effect; and as soon as it has such an effect, the Sovereign is no longer Sovereign even in the temporal sphere: thenceforth priests are the real masters, and kings only their ministers.

Now that there is and can be no longer an exclusive national religion, tolerance should be given to all religions that tolerate others, so long as their dogmas contain nothing contrary to the duties of citizenship. But whoever dares to say: *Outside the Church is no salvation*, ought to be driven from the State, unless the State is the Church, and the prince the pontiff. Such a dogma is good only in a theocratic government; in any other, it is fatal. The reason for which Henry IV is said to have embraced the Roman religion ought to make every honest man leave it, and still more any prince who knows how to reason.

CHAPTER IX: CONCLUSION

Now that I have laid down the true principles of political right, and tried to give the State a basis of its own to rest on, I ought next to strengthen it by its external relations, which would include the law of nations, commerce, the right of war and conquest, public right, leagues, negotiations, treaties, etc. But all this forms a new subject that is far too vast for my narrow scope. I ought throughout to have kept to a more limited sphere.

DANIEL DEFOE

DANIEL DEFOE (c. 1659–1731) was a journalist, novelist, popular economist, and able recorder of passing events. His *Complete English Tradesman* (1726) is a businessman's manual. Defoe had a strong sense of nationalism. He felt sure of England's strength, and took pride in her merchants and manufacturers. He went to great pains to demonstrate the respectability of commerce. Chapter xxiv of the *Tradesman*, a catalogue of the intermarriages between nobility and bourgeoisie, is excellent evidence of the rising prestige of the traders and merchants who even then were reviving the fortunes of some of the nobly born. The last part of the following selection suggests the increasing scope and impersonality of business transactions, from which Enlightenment theorists were soon to derive economic "laws." The 1841 edition of Defoe's works has been used.



THE COMPLETE ENGLISH TRADESMAN

CHAPTER XXV

Of the dignity of trade in England, more than in other countries. That England is the greatest trading country in the world; that our climate is the best to live in; that our men are the stoutest and best; that the tradesmen in England are not of the meanest of the people; that the wealth of the nation lies chiefly among them; that trade is a continual fund for supplying the decays in the rank of gentry; that an ordinary trader can spend more than a gentleman of 500l. a year; that an estate is a pond, but trade is a spring; that the descendants of tradesmen here, for gallantry of spirit and greatness of soul, are not inferior to the descendants of the best families. Further hints to the ladies whose pride will not let them stoop to marry a tradesman. To trade, and not to conquest, is owing the present grandeur of the English nation. How much the landed interest owes to trade.

THE INSTANCES which we have given in the last chapter, abundantly make for the honour of the British traders; and we may venture to say, at the same time, are very far from doing dishonour to the nobility who have from time to time entered into alliance with them; for it is very well known, that besides the benefit which we reap by being a trading nation, which is our principal

glory, trade is a very different thing in England than it is in many other are far from being the dregs of the people.

King Charles II., who was perhaps the prince of all the kings that ever reigned in England, who best understood the country and the people he governed, used to say, that the tradesmen were the only gentry in England. His majesty spoke it merrily, but it had a happy signification in it, such as was peculiar to the bright genius of that prince, who, though he was not the best governor, was the best acquainted with the world of all the princes of his age, if not of all the men in it; and I make no scruple to advance these three points in honour of our country; viz.—

1. That we are the greatest trading country in the world, because we have the greatest exportation of the growth and product of our land, and of the manufacture and labour of our people; and the greatest importation and consumption of the growth, product, and manufactures of other countries from abroad, of any nation in the world.

2. That our climate is the best and most agreeable to live in, because a man can be more out of doors in England than in other countries.

3. That our men are the stoutest and best, because, strip them naked from the waist upwards, and give them no weapons at all but their hands and heels, and turn them into a room or stage, and lock them in with the like number of other men of any nation, man for man, and they shall beat the best men you shall find in the world.

As so many of our noble and wealthy families, as we have shown, are raised by and derived from trade, so it is true, and indeed it cannot well be otherwise, that many of the younger branches of our gentry, and even of the nobility itself, have descended again into the spring from whence they flowed, and have become tradesmen; and thence it is that, as I said above, our tradesmen in England are not, as it generally is in other countries, always of the meanest of our people. Nor is trade itself in England, as it generally is in other countries, the meanest thing the men can turn their hand to; but, on the contrary, trade is the readiest way for men to raise their fortunes and families; and therefore it is a field for men of figure and of good families to enter upon.

N. B. By trade we must be understood to include navigation and foreign discoveries; because they are, generally speaking, all promoted and carried on by trade, and even by tradesmen, as well as merchants; and the tradesmen, as owners, are at this time as much concerned in shipping as the merchants, only the latter may be said to be the chief employers of the shipping.

Having thus done a particular piece of justice to ourselves, in the value we

put upon trade and tradesmen in England, it reflects very much upon the understandings of those refined heads who pretend to depreciate that part of the nation which is so infinitely superior in wealth to the families who call themselves gentry, and so infinitely more numerous.

As to the wealth of the nation, that undoubtedly lies chiefly among the trading part of the people; and though there are a great many families raised within few years, in the late war, by great employments and by great actions abroad, to the honour of the English gentry, yet how many more families among the tradesmen have been raised to immense estates, even during the same time, by the attending circumstances of the war; such as the clothing, the paying, the victualling and furnishing, &c., both army and navy. And by whom have the prodigious taxes been paid, the loans supplied, and money advanced upon all occasions? By whom are the banks and companies carried on, and on whom are the customs and excises levied? Have not the trade and tradesmen borne the burden of the war? And do they not still pay four millions a year interest for the public debts. On whom are the funds levied, and by whom the public credit supported? Is not trade the inexhausted fund of all funds, and upon which all the rest depend?

As is the trade, so in proportion are the tradesmen; and how wealthy are tradesmen in almost all the several parts of England, as well as in London? How common is it to see a tradesman go off the stage, even but from mere shopkeeping, with from ten to forty thousand pounds' estate to divide among his family! when, on the contrary, take the gentry in England, from one end to the other, except a few here and there, what with excessive high living, which is of late grown so much into a disease, and the other ordinary circumstances of families, we find few families of the lower gentry, that is to say from six or seven hundred a year downwards, but they are in debt, and in necessitous circumstances, and a great many of greater estates also.

On the other hand, let any one who is acquainted with England, look but abroad into the several counties, especially near London, or within fifty miles of it; how are the ancient families worn out by time and family misfortunes, and the estates possessed by a new race of tradesmen, grown up into families of gentry, and established by the immense wealth gained, as I may say, behind the counter; that is, in the shop, the warehouse, and the counting-house.

How many noble seats, superior to the palaces of sovereign princes, in some countries, do we see erected within few miles of this city by tradesmen, or the sons of tradesmen, while the seats and castles of the ancient gentry, like their families, look worn out and fallen into decay! witness the noble house of sir John Eyles, himself a merchant, at Giddyhall, near Romford; sir Gregory Page, on Blackheath, the son of a brewer; sir Nathanael Mead, near Weal-green,

his father a linen draper, with many others, too long to repeat; and, to crown all, the lord Castlemain's, now earl of Tilney, at Wanstead, his father, sir Josiah Child, originally a tradesman.

Again; in how superior a port or figure (as we now call it) do our tradesmen live, to what the middling gentry either do or can support! An ordinary tradesman now, not in the city only, but in the country, shall spend more money by the year, than a gentleman of four or five hundred pounds a year can do, and shall increase and lay up every year too; whereas the gentleman shall at the best stand stock still just where he began, nay, perhaps, decline: and as for the lower gentry, from a hundred pounds a year to three hundred, or thereabouts, though they are often as proud and high in their appearance as the other; as to them, I say, a shoemaker in London shall keep a better house, spend more money, clothe his family better, and yet grow rich too. It is evident where the difference lies; an estate's a pond, but trade's a spring: the first, if it keeps full, and the water wholesome, by the ordinary supplies and drains from the neighbouring grounds, it is well, and it is all that is expected; but the other is an inexhausted current, which not only fills the pond, and keeps it full, but is continually running over, and fills all the lower ponds and places about it.

This being the case in England, and our trade being so vastly great, it is no wonder that the tradesmen in England fill the lists of our nobility and gentry; no wonder that the gentlemen of the best families marry tradesmen's daughters, and put their younger sons apprentices to tradesmen; and how often do these younger sons come to buy the elder sons' estates, and restore the family, when the elder and head of the house, proving rakish and extravagant, has wasted his patrimony, and is obliged to make out the blessing of Israel's family, where the younger son bought the birthright, and the elder was doomed to serve him!

Trade is so far here from being inconsistent with a gentleman, that, in short, trade in England makes gentlemen, and has peopled this nation with gentlemen; for, after a generation or two, the tradesman's children, or at least their grandchildren, come to be as good gentlemen, statesmen, parliamentmen, privy-counsellors, judges, bishops, and noblemen, as those of the highest birth and the most ancient families; as we have shown. Nor do we find any defect either in the genius or capacities of the posterity of tradesmen, arising from any remains of mechanic blood, which, it is pretended, should influence them; but all the gallantry of spirit, greatness of soul, and all the generous principles that can be found in any of the ancient families, whose blood is the most untainted, as they call it, with the low mixtures of a mechanic race, are found in these; and, as is said before, they generally go beyond them in knowledge of the world, which is the best education.

We see the tradesmen of England, as they grow wealthy, coming every day to the herald's office to search for the coats of arms of their ancestors, in order to paint them upon their coaches, and engrave them upon their plate, embroider them upon their furniture, or carve them upon the pediments of their new houses; and how often do we see them trace the registers of their families up to the prime nobility, or the most ancient gentry of the kingdom!

In this search we find them often qualified to raise new families, if they do not descend from old; as was said of a certain tradesman of London, that if he could not find the ancient race of gentlemen, from which he came, he would begin a new race, who should be as good gentlemen as any that went before him.

Thus, in the late wars between England and France, how was our army full of excellent officers, who went from the shop, and behind the counter, into the camp, and who distinguished themselves there by their merits and gallant behaviour! And several such came to command regiments, and even to be general officers, and to gain as much reputation in the service as any; as colonel Pierce, Wood, Richards, and several others that may be named.

All this confirms what I have said before, viz., that trade in England neither is or ought to be levelled with what it is in other countries; or the tradesmen depreciated as they are abroad, and as some of our gentry would pretend to do in England; but that as many of our best families rose from trade, so many branches of the best families in England, under the nobility, have stooped so low as to be put apprentices to tradesmen in London, and to set up and follow those trades when they have come out of their times, and have thought it no dishonour to their blood.

To bring this once more home to the ladies, who are scandalized at that mean step, which they call it, of marrying a tradesman, it may be told them, for their humiliation, that, however they think fit to act, sometimes those tradesmen come of better families than their own; and oftentimes, when they have refused them to their loss, those very tradesmen have married ladies of superior fortune to them, and have raised families of their own, who, in one generation, have been superior to those nice ladies both in dignity and estate; and have, to their great mortification, been ranked above them upon all public occasions.

The word "tradesmen," in England, does not sound so harsh as it does in other countries; and to say a gentleman-tradesman, is not so much nonsense as some people would persuade us to reckon it; and, indeed, the very name of an English tradesman, will and does already obtain in the world; and as our soldiers, by the late war, gained the reputation of being some of the best troops in the world; and our seamen are at this day, and very justly too, esteemed

the best sailors in the world; so the English tradesman may be allowed to rank with the best gentlemen in Europe. . . .

And hence it is natural to ask, whence comes all this to be so? How is it produced? War has not done it; no, nor so much as helped or assisted to it; it is not by any martial exploits; we have made no conquests abroad, added no new kingdoms to the British empire, reduced no neighbouring nations, or extended the possession of our monarchs into the properties of others; we have gained nothing by war and encroachment; we are butted and bounded just where we were in queen Elizabeth's time; the Dutch, the Flemings, the French, are in view of us, just as they were then; we have subjected no new provinces or people to our government; and, with few or no exceptions, we are almost, for dominion, where king Edward I. left us: nay, we have lost all the dominions which our ancient kings for some hundreds of years held in France; such as the rich and powerful provinces of Normandy, Poitou, Gascoigne, Bretagne, and Aquitaine; and, instead of being enriched by war and victory, on the contrary, we have been torn in pieces by civil wars and rebellions, as well in Ireland as in England, and that several times, to the ruin of our richest families, and the slaughter of our nobility and gentry; nay, to the destruction even of monarchy itself, as in the long bloody wars between the houses of Lancaster and York, the many rebellions of the Irish, as well in queen Elizabeth's time, as in king Charles I. time; and the fatal massacre, and almost extirpation of the English name in that kingdom; and, at last, the late rebellion in England, in which the monarch fell a sacrifice to the fury of the people, and monarchy itself gave way to tyranny and usurpation, for almost twenty years.

These things prove abundantly that the greatness of the British nation is not owing to war and conquest, to enlarging its dominions by the sword, or subjecting the people of other countries to our power; but it is all owing to trade, to the increase of our commerce at home, and the extending it abroad.

It is owing to trade, that new discoveries have been made in lands unknown, and new settlements and plantations made, new colonies planted, and new governments formed, in the uninhabited islands, and the uncultivated continent of America; and those plantings and settlements have again enlarged and increased the trade, and thereby the wealth and power of the nation by whom they were discovered and planted; we have not increased our power, or the number of our subjects, by subduing the nations which possess those countries, and incorporating them into our own; but have entirely planted our colonies, and peopled the countries with our own subjects, natives of this island; and, excepting the negroes, which we transport from Africa to America, as slaves to work in the sugar and tobacco plantations, all our colonies, as

well in the islands, as on the continent of America, are entirely peopled from Great Britain and Ireland, and chiefly the former; the natives having either removed further up into the country, or, by their own folly and treachery raising war against us, been destroyed and cut off.

As trade has thus extended our colonies abroad, so it has (except those colonies) kept our people at home, where they are multiplied to that prodigious degree, and do still continue to multiply in such a manner, that, if it goes on so, time may come that all the lands in England will do little more than serve for gardens from them and to feed their cows, and their corn and cattle be supplied from Scotland and Ireland. . . .

CHAPTER XXVIII

Of the tradesman's punctual paying his bills and promissory notes, and the credit he gains by it. Of protesting bills. Error of the country manufacturer in overloading the factor. A tradesman ought not to suffer himself to be overdrawn. What punctualities are required in bills of exchange and promissory notes. Of the three days of grace. The nature of foreign bills of exchange, and the niceties to be observed in them. Advantages to a tradesman who pays his bills well. Forms of bills drawn on several occasions.

As credit is maintained by just and honest dealing, so that just dealing depends very much upon the tradesman's punctual payment of money in the several demands that may be made upon him. The ordinary demands of money upon a tradesman are,—

1. Promises of money for goods bought at time.
2. Bills drawn upon him; which, generally speaking, are from the country.
3. Bills of exchange, and promissory notes under his hand, which are passed oftentimes upon buying his goods, bought also at time; as in the first head.
4. Bonds, or other securities, bearing interest, given chiefly for money borrowed.

I. As to the first article, promises of money for goods bought at time; this indeed is the loosest article in a tradesman's payments; for, in this case, not one man in twenty keeps to his time; and so easy are tradesmen to one another, that, in general, it is not much expected; but he that pays tolerably well, and without dunning, is deemed a good man, and shall be trusted anywhere, and keeps up a character in his business; and is as lofty and touchy, if his credit be called in question, as if he paid all ready money; and shall often buy his goods as cheap upon the credit of his ordinary pay, as another man shall that brings his money in his hand.

And indeed it is reasonable it should be so; for the ready money man comes

and buys a parcel here and a parcel there, and comes but seldom; but the other comes as often as he wants goods, buys considerably, and, it may be said, pays currently too.

But though credit is maintained in this case, upon the easiest terms of any other, yet even here the tradesman must have a great care to keep it up; or he may get the character of being what (in the language of trade) is called long-winded, putting off continually, till he will bear dunning; then his credit fails; his dealer, who trusted him perhaps a 1000*l.* thick before, and esteemed him as good as ready money, now grows sick of him, cares not whether he deals with him or no, and at last refuses to trust him any longer; and then his credit is quite sunk and gone.

II. As to the second article, of bills drawn upon him from the country; it is but a little while ago since those bills were the loosest things in trade; for as they could not be protested,¹ so men could not always sue for them, but rather return them to the person from whom they received them.

But the late law made for noting and protesting inland bills, alters the case very much; bills now accepted, are protested in form; and if not punctually paid, are either returned immediately, or the person on whom they are drawn is liable to be sued at law; either of which is a blow to the credit of the acceptor.

A tradesman may, without hurt to his reputation refuse to accept a bill; for then, when the notary comes, he gives his reasons, viz., that he refuses to accept the bill for want of advice, or for want of effects in his hands for account of the drawer, or that he has not given orders to draw upon him; in all which cases the non-acceptance touches the credit of the drawer; for in trade it is always esteemed a dishonourable thing to draw upon any man that has not effects in his hands to answer the bills; or to draw without order; or to draw, and not give advice of it; because it looks like a forwardness to take the remitter's money without giving him a sufficient demand for it, where he expects and ought to have it.

A tradesman comes to me in London, and desires me to give him a bill payable at Bristol; for he is going to the fair there, and, being to buy goods there, he wants money at Bristol to pay for them. If I give him a bill, he pays me down the money upon receipt of it, depending upon my credit for the acceptance of the bill. If I draw this bill where I have no reason to draw it, where I have no demand, or no effects to answer it, or if I give my correspondent no advice of it, I abuse the remitter, that is, the man whose money I take; and this reflects upon my credit that am the drawer; and the next time this tradesman wants money at Bristol fair, he will not come to me; No, says

¹ [Protesting: a means of fixing liability of the endorser of dishonored paper; usually a notarized statement that the note has been presented for acceptance or payment and has been refused.]

he, his last bills were not accepted; or, if he does come to me, then he demands, that he should not pay his money till he has advice that my bills are accepted.

But, on the other hand, if bills are right drawn, and advice duly given, and the person has effects in his hands; then, if he refuses the bill, he says to the notary, he does not accept the bill; but gives no reason for it, only that he says absolutely, I will not accept it; you may take that for an answer; or he adds, I refuse to accept it for reasons best known to myself. This is sometimes done; but this does not leave the person's credit, who refuses, so clear as the other, though perhaps it may not so directly reflect upon him; but it leaves the case a little dubious and uncertain; and men will be apt to write back to the person who sent the bill, to inquire what the drawer says to it, and what account he gives, or what character he has upon his tongue for the persons drawn upon.

As the punctual paying bills when accepted, is a main article in the credit of the acceptor, so a tradesman should be very cautious in permitting him to draw upon him where he has not effects, or does not give order; for though, as I said, it ought not to affect his reputation not to accept a bill where it ought not to be drawn, yet a tradesman that is nice of his own character does not love to be always or often refusing to accept bills, or to have bills drawn upon him where he has no reason to accept them; and therefore he will be very positive in forbidding such drawing; and if, notwithstanding that, the importunities of the country tradesman oblige him to draw, the person drawn upon will give smart and rough answers to such bills; as particularly, I refuse to accept this bill, because I have no effects of the drawer's to answer it: or thus, I refuse to accept this bill, because I not only gave no orders to draw, but gave positive orders not to draw: or thus, I neither will accept this bill, nor any other this man shall draw; and the like. This thoroughly clears the credit of the acceptor, and reflects grossly on the drawer.

It is the great error of our country manufacturers, in many, if not in most parts of England at this time, that as soon as they can finish their goods, they hurry them up to London to their factor; and as soon as the goods are gone, immediately follow them with their bills for their money, without waiting to hear whether the goods are come to a market, are sold, or in demand, and whether they are likely to sell quickly or not. Thus they load the factor's warehouse with their goods before they are wanted, and load the factor with their bills before it is possible that he can have gotten cash in his hand to pay them.

This is, first, a direct borrowing money of their factor; and it is borrowing, as it were, whether the factor will lend or no, and sometimes whether he can or no. The factor, if he be a man of money, and answers their bills, fails not to make them pay for advancing; or sells the goods to loss to answer the bills,

which is making them pay dear for the loan; or refuses their bills, and so balks both their business and their credit.

But if the factor, willing to oblige his employers, and knowing he shall otherwise lose their commission, accepts the bills on the credit of the goods, and then, not being able to sell the goods in time, is also made unable to pay the bills when due, this reflects upon his credit, though the fault is indeed in the drawer, whose effects are not come in; and this has ruined many an honest factor.

But the damage lies on the circumstance of accepting the bill; for the factor lends his employer the money the hour he accepts the bill; and the blow to his credit is, for not paying when accepted. When the bill is accepted, the acceptor is debtor to the person to whom the bill is payable, or, in his right, to every endorser; for a bill of exchange is, in this case, differing from a bond, viz., that the right of action is transferrable by endorsement; and every endorser has a right to sue the acceptor in his own name, and can transfer that right to another; whereas, in a bond, though it be given to me by assignment, I must sue in the name of the first person to whom the bond is payable, and he may at any time discharge the bond, notwithstanding my assignment.

Upon the whole; all tradesmen that trade thus, whether by commission from the country, or upon their own accounts, should make it the standing order of their business, not to suffer themselves to be overdrawn by the employers, so as to straighten themselves in their cash, and make them unable to pay their bills when accepted; for it is to be observed, that when a tradesman once comes to suffer himself to be thus overdrawn, and sinks his credit in kindness to his employer, he buys his employment so dear, as all his employer can do for him can never repay the price.

DAVID HUME

AFTER THE PUBLICATION of his *Treatise on Human Nature*, Hume's researches carried him into the then undisciplined field of economics. There he performed a work of criticism and synthesis which helped to bridge the gap between mercantilist and laissez-faire economics.

Hume never completely freed himself from that adulation for the merchant, esteem for foreign trade, or emphasis upon state power which were typical of the mercantilists. Yet he appreciated much better than they the existence of interrelations among various types of trades. He recognized that the most important effects of specie movements were their effects on prices. He understood particularly well the effectiveness of acquisitive motives in stimulating men to generally beneficial economic activity. His understanding, then, of the intricacy of trade, of the mechanisms by which it is carried on, and of the motivation which underlies it, permitted him to isolate the strong points of mercantilism, to add some new ones, and to weave all into new syntheses.

To the philosophy of individualism he contributed an analysis of economic incentives which made private producers the mainsprings of national well-being. Among the most effective incentives to economic activity was the prospect of enjoying the good things money could buy. By these good things Hume meant refinements in pleasure, moderate gratification of the senses, preoccupation with the arts. He called such enjoyments "innocent luxury," distinguishing them from gratification pushed to extremes, from excessive self-indulgence, in short, from "vicious luxury." His mercantilist leanings were revealed in his conviction that the state must take active part in encouraging the one type and in restricting the other.

In economic science he is owed a debt for two highly clarifying distinctions. Both appear in the essay "On Money" (1741) in a recital of the effects of imports of bullion (specie inflow), but both have had a wide applicability in economic analysis. The first contrasts the effects of specie inflow on the public treasury with its effects on the prosperity of individuals. The treasury, he argued, was strengthened by additions of specie, but any advantages to individuals would be at best temporary, and soon to be neutralized by a rise in prices. The second distinction is that between short-run and long-run consequences. Initially, specie inflow might benefit some individuals, for example, producers whose costs did not rise as quickly as demand for their products. Ultimately, all costs, all prices, would rise, and no one would be the gainer.

The first distinction not only hastened the demise of the favorable-balance-of-trade argument, but it also made possible an advance in the understanding of the relation between the quantity of gold and individual prices. The second distinction also served these ends. It has continued, with more or less refinement, to characterize economic investigation to the present day.

Had Hume ever written a comprehensive economic treatise, he might have reconciled some of the divergent ideas which appear in his essays. What is perhaps

more likely, he might have abandoned the nationalist emphasis and with it his considerable solicitude for specie inflow and foreign trade. In any event, his perception of the details of economic processes and his understanding of their dependence upon human institutions were sufficient to raise him head and shoulders above the other early architects of economic science.



ON MONEY

MONEY IS NOT, properly speaking, one of the subjects of commerce, but only the instrument which men have agreed upon to facilitate the exchange of one commodity for another. It is none of the wheels of trade: it is the oil which renders the motion of the wheels more smooth and easy. If we consider any one kingdom by itself, it is evident that the greater or less plenty of money is of no consequence, since the prices of commodities are always proportioned to the plenty of money, and a crown in Harry VII's time served the same purpose as a pound does at present. It is only the *public* which draws any advantage from the greater plenty of money, and that only in its wars and negotiations with foreign states. And this is the reason why all rich and trading countries, from Carthage to Great Britain and Holland, have employed mercenary troops, which they hired from their poorer neighbours. Were they to make use of their native subjects, they would find less advantage from their superior riches, and from their great plenty of gold and silver, since the pay of all their servants must rise in proportion to the public opulence. Our small army of 20,000 men is maintained at as great expense as a French army twice as numerous. The English fleet, during the late war, required as much money to support it as all the Roman legions, which kept the whole world in subjection, during the time of the emperors.

The great number of people, and their greater industry, are serviceable in all cases, at home and abroad, in private and in public. But the greater plenty of money is very limited in its use, and may even sometimes be a loss to a nation in its commerce with foreigners.

There seems to be a happy concurrence of causes in human affairs, which checks the growth of trade and riches, and hinders them from being confined entirely to one people, as might naturally at first be dreaded from the advantages of an established commerce. Where one nation has gotten the start of another in trade, it is very difficult for the latter to regain the ground it has lost, because of the superior industry and skill of the former, and the greater stocks of which its merchants are possessed, and which enable them to trade

on so much smaller profits. But these advantages are compensated, in some measure, by the low price of labour in every nation which has not an extensive commerce, and does not much abound in gold and silver. Manufactures, therefore, gradually shift their places, leaving those countries and provinces which they have already enriched, and flying to others, whither they are allured by the cheapness of provisions and labour, till they have enriched these also, and are again banished by the same causes. And in general we may observe, that the dearness of every thing, from plenty of money, is a disadvantage which attends an established commerce, and sets bounds to it in every country, by enabling the poorer states to undersell the richer in all foreign markets. . . .

It was a shrewd observation of Anacharsis the Scythian, who had never seen money in his own country, that gold and silver seemed to him of no use to the Greeks, but to assist them in numeration and arithmetic. It is indeed evident, that money is nothing but the representation of labour and commodities and serves only as a method of rating or estimating them. Where coin is in greater plenty; as a greater quantity of it is required to represent the same quantity of goods; it can have no effect, either good or bad, taking a nation within itself; any more than it would make an alteration on a merchant's books, if, instead of the Arabian method of notation, which requires few characters, he should make use of the Roman, which requires a great many. Nay, the greater quantity of money, like the Roman characters, is rather inconvenient, and requires greater trouble both to keep and transport it. But, notwithstanding this conclusion, which must be allowed just, it is certain, that, since the discovery of the mines in America, industry has increased in all the nations of Europe, except in the possessors of those mines; and this may justly be ascribed, amongst other reasons, to the increase of gold and silver. Accordingly we find, that, in every kingdom, into which money begins to flow in greater abundance than formerly, every thing takes a new face: labour and industry gain life; the merchant becomes more enterprising, the manufacturer more diligent and skilful, and even the farmer follows his plough with greater alacrity and attention. This is not easily to be accounted for, if we consider only the influence which a greater abundance of coin has in the kingdom itself, by heightening the price of commodities, and obliging every one to pay a greater number of these little yellow or white pieces for every thing he purchases. And as to foreign trade, it appears, that great plenty of money is rather disadvantageous, by raising the price of every kind of labour.

To account, then, for this phenomenon, we must consider, that though the high price of commodities be a necessary consequence of the increase of gold and silver, yet it follows not immediately upon that increase; but some

time is required before the money circulates through the whole state, and makes its effect be felt on all ranks of people. At first, no alteration is perceived; by degrees the price rises, first of one commodity, then of another; till the whole at last reaches a just proportion with the new quantity of specie which is in the kingdom. In my opinion, it is only in this interval or intermediate situation, between the acquisition of money and rise of prices, that the increasing quantity of gold and silver is favourable to industry. When any quantity of money is imported into a nation, it is not at first dispersed into many hands; but is confined to the coffers of a few persons, who immediately seek to employ it to advantage. Here are a set of manufacturers or merchants, we shall suppose, who have received returns of gold and silver for goods which they sent to Cadiz. They are thereby enabled to employ more workmen than formerly, who never dream of demanding higher wages, but are glad of employment from such good paymasters. If workmen become scarce, the manufacturer gives higher wages, but at first requires an increase of labour; and this is willingly submitted to the artisan, who can now eat and drink better, to compensate his additional toil and fatigue. He carries his money to market, where he finds every thing at the same price as formerly, but returns with greater quantity, and of better kinds, for the use of his family. The farmer and gardener, finding that all their commodities are taken off, apply themselves with alacrity to the raising more; and at the same time can afford to take better and more clothes from their tradesmen, whose price is the same as formerly, and their industry only whetted by so much new gain. It is easy to trace the money in its progress through the whole commonwealth; where we shall find, that it must first quicken the diligence of every individual, before it increase the price of labour. . . .

From the whole of this reasoning we may conclude, that it is of no manner of consequence with regard to the domestic happiness of a state, whether money be in a greater or less quantity. The good policy of the magistrate consists only in keeping it, if possible, still increasing; because by that means he keeps alive a spirit of industry in the nation, and increases the stock of labour in which consists all real power and riches. A nation, whose money decreases, is actually at that time weaker and more miserable than another nation which possesses no more money, but is on the increasing hand. This will be easily accounted for, if we consider that the alterations in the quantity of money, either on one side or the other, are not immediately attended with proportionable alterations in the price of commodities. There is always an interval before matters be adjusted to their new situation; and this interval is as pernicious to industry, when gold and silver are diminishing, as it is advantageous when these metals are increasing. The workman has not the

same employment from the manufacturer and merchant; though he pays the same price for every thing in the market. The farmer cannot dispose of his corn and cattle, though he must pay the same rent to his landlord. The poverty and beggary, and sloth, which must ensue, are easily foreseen.

The second observation which I propose to make with regard to money, may be explained after the following manner: There are some kingdoms, and many provinces in Europe, (and all of them were once in the same condition), where money is so scarce, that the landlord can get none at all from his tenants, but is obliged to take his rent in kind, and either to consume it himself, or transport it to places where he may find a market. In those countries, the prince can levy few or no taxes but in the same manner; and as he will receive small benefit from impositions so paid, it is evident that such a kingdom has little force even at home, and cannot maintain fleets and armies to the same extent as if every part of it abounded in gold and silver. There is surely a greater disproportion between the force of Germany at present, and what it was three centuries ago, than there is in its industry, people, and manufactures. The Austrian dominions in the empire are in general well peopled and well cultivated, and are of great extent, but have not a proportionable weight in the balance of Europe; proceeding as is commonly supposed, from the scarcity of money. How do all these facts agree with that principle of reason, that the quantity of gold and silver is in itself altogether indifferent? According to that principle, wherever a sovereign has numbers of subjects, and these have plenty of commodities, he should of course be great and powerful, and they rich and happy, independent of the greater or less abundance of the precious metals. These admit of divisions and subdivisions to a great extent; and where the pieces might become so small as to be in danger of being lost, it is easy to mix the gold or silver with a baser metal, as is practised in some countries of Europe, and by that means raise the pieces to a bulk more sensible and convenient. They still serve the same purposes of exchange, whatever their number may be, or whatever colour they may be supposed to have.

To these difficulties I answer, that the effect here supposed to flow from scarcity of money, really arises from the manners and customs of the people; and that we mistake, as is too usual, a collateral effect for a cause. The contradiction is only apparent; but it requires some thought and reflection to discover the principles by which we can reconcile *reason* to *experience*.

It seems a maxim almost self-evident, that the prices of every thing depend on the proportion between commodities and money, and that any considerable alteration on either has the same effect, either of heightening or lowering the price. Increase the commodities, they become cheaper; increase the money, they rise in their value. As, on the other hand, a diminution of the former, and that of the latter, have contrary tendencies.

It is also evident that the prices do not so much depend on the absolute quantity of commodities and that of money which are in a nation, as on that of the commodities which come or may come into market, and of the money which circulates. If the coin be locked up in chests, it is the same thing with regard to prices as if it were annihilated. If the commodities be hoarded in magazines and granaries, a like effect follows. As the money and commodities in these cases never meet, they cannot affect each other. Were we at any time to form conjectures concerning the price of provisions, the corn which the farmer must preserve for seed, and for the maintenance of himself and family, ought never to enter into the estimation. It is only the overplus, compared to the demand, that determines the value.

To apply these principles, we must consider, that, in the first and more uncultivated ages of any state, ere fancy has confounded her wants with those of nature, men, content with the produce of their own fields, or with those rude improvements which they themselves can work upon them, have little occasion of exchange; at least for money, which, by agreement, is the common measure of exchange. The wool of the farmer's own flock, spun in his own family, and wrought by a neighbouring weaver, who receives his payment in corn or wool, suffices for furniture and clothing. The carpenter, the smith, the mason, the tailor, are retained by wages of a like nature; and the landlord himself, dwelling in the neighbourhood, is content to receive his rent in the commodities raised by the farmer. The greater part of these he consumes at home, in rustic hospitality: the rest, perhaps, he disposes of for money to the neighbouring town, whence he draws the few materials of his expense and luxury.

But after men begin to refine on all these enjoyments, and live not always at home, nor are content with what can be raised in their neighbourhood, there is more exchange and commerce of all kinds, and more money enters into that exchange. The tradesmen will not be paid in corn, because they want something more than barley to eat. The farmer goes beyond his own parish for the commodities he purchases, and cannot always carry his commodities to the merchant who supplies him. The landlord lives in the capital, or in a foreign country, and demands his rent in gold and silver, which can easily be transported to him. Great undertakers, and manufacturers, and merchants, arise in every commodity; and these can conveniently deal in nothing but in specie. And consequently, in this situation of society, the coin enters into many more contracts, and by that means is much more employed than in the former.

The necessary effect is, that, provided the money increase not in the nation, every thing must become much cheaper in times of industry and refinement, than in rude uncultivated ages. It is the proportion between the circulating money, and the commodities in the market, which determines the prices. Goods

that are consumed at home, or exchanged with other goods in the neighbourhood, never come to market; they effect not in the least the current specie; with regard to it, they are as if totally annihilated; and consequently this method of using them sinks the proportion on the side of the commodities, and increases the prices. But after money enters into all contracts and sales, and is everywhere the measure of exchange, the same national cash has a much greater task to perform; all commodities are then in the market; the sphere of circulation is enlarged; it is the same case as if that individual sum were to serve a larger kingdom; and therefore, the proportion being here lessened on the side of the money, every thing must become cheaper, and the prices gradually fall.

By the most exact computations that have been formed all over Europe, after making allowance for the alteration in the numerary value or the denomination, it is found, that the prices of all things have only risen three, or, at most, four times since the discovery of the West Indies. But will any one assert, that there is not much more than four times the coin in Europe that was in the fifteenth century, and the centuries preceding it? The Spaniards and Portuguese from their mines, the English, French, and Dutch, by their African trade, and by their interlopers in the West Indies, bring home about six millions a year, of which not above a third goes to the East Indies. This sum alone, in ten years, would probably double the ancient stock of money in Europe. And no other satisfactory reason can be given why all prices have not risen to a much more exorbitant height, except that which is derived from a change of customs and manners. Besides that more commodities are produced by additional industry, the same commodities come more to market, after men depart from their ancient simplicity of manners. And though this increase has not been equal to that of money, it has, however, been considerable, and has preserved the proportion between coin and commodities nearer the ancient standard.

Were the question proposed, Which of these methods of living in the people, the simple or refined, is the most advantageous to the state or public? I should, without much scruple, prefer the latter, in a view to politics at least, and should produce this as an additional reason for the encouragement of trade and manufactures.

While men live in the ancient simple manner, and supply all their necessities from domestic industry, or from the neighbourhood, the sovereign can levy no taxes in money from a considerable part of his subjects; and if he will impose on them any burdens, he must take payment in commodities, with which alone they abound; a method attended with such great and obvious inconveniences, that they need not here be insisted on. All the money he can pre-

tend to raise must be from his principal cities, where alone it circulates; and these, it is evident, cannot afford him so much as the whole state could, did gold and silver circulate throughout the whole. But besides this obvious diminution of the revenue, there is another cause of the poverty of the public in such a situation. Not only the sovereign receives less money, but the same money goes not so far as in times of industry and general commerce. Every thing is dearer where the gold and silver are supposed equal; and that because fewer commodities come to market, and the whole coin bears a higher proportion to what is to be purchased by it; whence alone the prices of every thing are fixed and determined.

Here then we may learn the fallacy of the remark, often to be met with in historians, and even in common conversation, that any particular state is weak, though fertile, populous, and well cultivated, merely because it wants money. It appears, that the want of money can never injure any state within itself; for men and commodities are the real strength of any community. It is the simple manner of living which here hurts the public, by confining the gold and silver to few hands, and preventing its universal diffusion and circulation. On the contrary, industry and refinements of all kinds incorporate it with the whole state, however small its quantity may be: they digest it into every vein, so to speak, and make it enter into every transaction and contract. No hand is entirely empty of it. And as the prices of every thing fall by that means, the sovereign has a double advantage: he may draw money by his taxes from every part of the state; and what he receives goes further in every purchase and payment.

We may infer, from a comparison of prices, that money is not more plentiful in China than it was in Europe three centuries ago. But what immense power is that empire possessed of, if we may judge by the civil and military establishment maintained by it! Polybius tells us, that provisions were so cheap in Italy during his time, that in some places the stated price for a meal at the inns was a semis a head, little more than a farthing! Yet the Roman power had even then subdued the whole known world. About a century before that period, the Carthaginian ambassador said, by way of raillery, that no people lived more sociably amongst themselves than the Romans; for that, in every entertainment, which, as foreign ministers, they received, they still observed the same plate at every table. The absolute quantity of the precious metals is a matter of great indifference. There are only two circumstances of any importance, namely, their gradual increase, and their thorough concoction and circulation through the state; and the influence of both these circumstances has here been explained. . . .

PAUL PIERRE MERCIER DE LA RIVIÈRE

THE PHYSIOCRATS laid the foundation for the system of political economy of the eighteenth century later developed by the classical economists and known today as "economics." As their name indicates, the Physiocrats were convinced that not only nature but society, and especially the production and distribution of wealth, were subject to natural laws which it was the task of economists to discover by means of deduction and abstract reasoning. While some of their basic views (as, for instance, their conception that agriculture is the only productive activity, their protest against Colbert's encouragement of manufactures, and their advocacy of a single tax on land) are now rejected, generation after generation of economists has continued to share the physiocrats' belief in the existence of a harmonious natural orderliness in economic life, and it is no exaggeration to say that these philosophical presuppositions of the eighteenth century have had a powerful influence upon the subsequent development of economic science. The Physiocrats regarded the natural order of society as a providential one which had been ordained by God for the happiness of mankind and which made government regulation of economic life not only unnecessary but even harmful.

It is significant that these early liberals, who opposed government intervention and who believed that the purpose of all legislation should be to permit things to take their "natural" course, were far from accepting the doctrines of popular sovereignty and democratic self-government. Indeed, the economic liberalism of the Physiocrats was tempered by their conception of a natural political order in which an all-powerful divine sovereign performed the functions not only of giving expression to common interests but also of preserving the natural order and protecting its basis—namely, private property—"against the attacks of the ignorant and the sacrilegious."¹ In fact, the sovereign together with universal instruction, primarily in the principles of physiocracy, were considered necessary guarantees for the maintenance of the natural divine order.

The chief theoretical representatives of Physiocracy were François Quesnay (1694-1774), Pierre Samuel Dupont de Nemours (1739-1817), and Paul Pierre Mercier de la Rivière (1720-97). Anne Robert Jacques Turgot (1727-81) was the outstanding statesman who endeavored to put physiocratic doctrines into practice.

The following selections, which outline the basic presuppositions of physiocracy, have been translated from the French of Mercier de la Rivière's *L'Ordre naturel et essentiel des sociétés politiques* (1767).



¹ Gide and Rist, *History of Economic Doctrines*, p. 37.

*THE NATURAL AND ESSENTIAL ORDER
OF POLITICAL SOCIETIES*

PREFACE

MONARCHS are motivated by three major legitimate objects of ambition: great wealth, great power, and great prestige. It is, therefore, for the benefit of kings that I am writing, for I am discussing the means by which their wealth, their power and their prestige can be increased to the highest possible level.

There is nothing landowners desire so much as a constant increase of their annual rent. It is, therefore, for the benefit of these landowners that I am writing, for I am discussing the means by which all land can be made to yield the highest possible rent.

The class which sells its labor to other men has only one aim: to increase its wages. I am writing, therefore, for the benefit of this class, for I am dealing with the means by which the sum total of wages can be made to reach the highest possible level.

The clergy who have a share in the products of the land and who distribute that part of the total product which is destined to help the poor have a double interest in an abundant harvest. I am writing, therefore, for the benefit of both the clergy and the poor, for I am dealing with the means which will secure the abundant harvest.

The merchants whose usefulness is the same in all nations and whose business is dependent upon the steady output of goods are interested only in the multiplication of these goods. I am writing, therefore, for the benefit of the merchants, for I am dealing with the means through which it is possible to secure both the greatest output and the greatest possible consumption of all goods entering into trade.

Finally, by uniting to live in society men have no other aim than to establish among themselves rights of both common and individual property with the aid of which they are able to procure for themselves all the happiness and enjoyment of which mankind is capable. I am writing, therefore, for the benefit of every member of society, for I am dealing with the means through which society must, of necessity and always, give the greatest permanency and the greatest value to the rights of common and individual property and thus arrive at the greatest possible perfection.

Wherever knowledge permits us to penetrate beneath the surface of things, we discover an end as well as the means appropriate to its realization; we do not discern anything which is not governed by laws peculiar to its existence and which does not obey these laws so that it may attain with their aid every-

thing which is compatible both with the nature of its being and and the manner of its existence. It has occurred to me that man has not been less well treated. His particular abilities which make him the master of the earth permit me to believe that, in the general plan of the creation, there is a share of happiness for man and an order designed to assure its enjoyment.

Certain of this idea and convinced that the divine light in us is not given to us without purpose, I have arrived at the conclusion that this purpose consists in understanding the order in accordance with which our life must be organized if we are to achieve our happiness. Turning to the search for, and the study of, this order I began to realize that our natural state of existence is that of living in society; that our greatest happiness can be realized only in society; that the organization of men in society and their happiness as a result of this organization is the intention of the creator; that, consequently, we have to consider society as the work of God, and the fundamental laws of the social order as part of the general and immutable laws of the creation. The first difficulties encountered in this manner of looking upon man are due to the evils which result from our life in society. However, after realizing that even among the most useful things there is not one which may not become pernicious by our abusing it, I have felt it necessary to inquire whether the natural laws of society are the real causes of these evils or whether the latter are not rather the necessary consequences of our ignorance of the meaning of these laws. My investigations into this subject have led me from doubt to final certainty; they have convinced me that there is a natural order for the government of men united in society—an order which assures us necessarily of all the temporal happiness which is ours during our stay on earth and of all the enjoyments which we can reasonably hope for and to which we can add nothing without injuring ourselves; an order for the understanding of which nature has given us adequate intellectual powers and which needs only to be understood in order to be followed; an order in which everything is necessarily for the best, where all interests are so perfectly adjusted to each other and so inseparably united with each other that, from the sovereign to the last of his subjects, the happiness of one group cannot be increased without, at the same time, increasing the happiness of all other groups; an order, finally, the sanctity and usefulness of which demonstrates the existence of a benevolent deity and thus prepares and induces man, out of gratitude, to love and to worship God, and to seek, out of self-interest, the state of perfection which comes closest to God's will. The more I endeavoured to struggle against this certainty, the more I prepared the way for its final victory over me. May God give me the ability to demonstrate this truth, as I see it and as I feel it, to others. May it please God that this truth is spread everywhere; so

that it may transform our vices into virtues and that happiness be given to all mankind.

CHAPTER II

Realization of the physical necessity of society leads directly to an understanding of what is absolutely just and what is absolutely unjust. . . .

The just may be defined as an order of duties and rights which are of the nature of physical necessity and thus absolute in character. Similarly, the unjust is everything which is in opposition to this order. . . .

It is not because men live in society that they have mutual duties and rights; it is because they have, by nature and of necessity, mutual duties and rights that they live, by nature and of necessity, in society. These duties and rights, which are of an absolute necessity in the physical order, represent the absolutely just.

I do not think that anyone will deny the existence of the natural right to secure one's own survival. This basic right is, indeed, only the result of a basic duty which is imposed upon man under penalty of pain or even death. Without this right his condition would be worse than that of animals. For all animals enjoy a similar right. Now, it must be clear that man's right to secure his own survival includes the right to acquire, by his own work, those things that are useful to his existence as well as the right to keep them after their acquisition. It is evident that this second right is only part of the first, for one cannot be said to have acquired what one has not the right to keep; thus the right to acquire and the right to keep form together only one and the same right although considered at different times.

It is thus from nature herself that man has received the exclusive property of his person and of those things which he acquires by his own work. I use the term exclusive property because if it were not exclusive it would not be a property right. . . .

In order to be able to fulfill the basic duty which nature has imposed upon him, and also in order to exist, man by absolute necessity has the right to secure his survival; in order to exercise this right it is absolutely necessary that others should not have the right to prevent him from doing so. The exclusive property of his person, which I am going to call personal property (*propriété personnelle*) is thus for each man a right by absolute necessity; and since this exclusive personal property would be nil without the exclusive ownership right to those things which man acquires by his labor, this second exclusive right of property, to which I shall give the name of negotiable property (*propriété mobilière*) is an absolute necessity, like the first from which it is derived.

Thus we are already far advanced in our understanding of what is absolutely

just and absolutely unjust. Once it is realized that it is absolutely necessary that personal and movable property are exclusive rights we are able to realize that each man has also duties which are of absolute necessity. These duties consist in the obligation not to invade the property rights of others, for it is evident that without these duties rights would cease to exist. . . .

In this manner the absolutely just reveals itself in all its simplicity: as soon as we understand the physical necessity of living in society, we also recognize the necessity, and consequently the absolute justice, of each man being the exclusive owner of his person and of those things which he acquires by his labor; we realize also the necessity and the absolute justice of each man making it his duty to respect the property rights of other men, and that thus among men rights do not exist without duties. . . .

I shall close this chapter with an observation about the inequality of conditions among men. Those who complain about this inequality do not realize that it reflects merely the very essence of justice: when I acquire the exclusive property of a given object no other man can be at the same time owner of that object. The law of property is the same for all men. The rights to property are equal for all but they are not all of equal worth, because their worth is absolutely independent of the natural law of property. Each man acquires in proportion to his abilities . . . and these abilities differ in different persons.

Apart from the various degrees of ability there are always, in the multitude of possible chances, constellations of circumstances which are either more or less fortunate. It is thus for two reasons that there must develop great differences in the state of affairs of human beings united in society. Therefore one ought not to consider an inequality of conditions an abuse which has its origin only in society. Even if it were possible to dissolve society, it would still be impossible to do away with inequalities which have their roots in the inequality of physical abilities as well as in a multitude of purely accidental events, the course of which is independent of our wills. Thus, no matter what situation we may assume to exist, we would never be able to make the conditions of man equal, unless, by changing the laws of nature, we equalized for each man both physical abilities and accidental events. . . .

I admit, however, that the inequalities in the status of man in any given society may have been caused by great disorders which often tend to increase inequalities beyond their natural and necessary proportions. But does this mean that one ought to establish complete equality of conditions? Obviously not, for in order to do so, it would be necessary to destroy all property and consequently society. What is needed is rather to correct the disorders which cause what is no evil at all to become one, by their creating conditions which make only rights belong to some and only duties belong to others.

CHAPTER VI

Property and, consequently, security and liberty of enjoyment are the essence of the natural and fundamental order of society. This order is part of the physical order, and therefore its principal characteristics are in no way arbitrary. On the contrary, they are simple, clear, immutable, and in the highest degree advantageous for society as a whole, as well as for each of its members.

It is important not to confuse the supra-natural order with the natural order: the former reflects the will of God which is known only by revelation; and only those to whom God has revealed the existence of this supra-natural order are capable of perceiving it. In contrast, the natural order can be understood by all men with the aid of their reasoning power alone. . . .

The natural order is a perfect adjustment of physical means, which nature has chosen in order to produce necessarily the physical effects which she expects from them. I call these means physical means because in nature everything is physical; thus the natural order of which the social order is a part, is and can only be a physical order. . . . As soon as this fundamental truth is recognized it becomes obvious that the social order is not at all arbitrary in character, that it is not the work of man but is, on the contrary, the work of the creator of nature in the same way as all other branches of the physical order whose parts are absolutely and forever independent of our will. Consequently we have to regard the permanent laws of this physical order as the essential basis of all positive legislation and of all social institutions. . . .

It can thus truly be said that there is nothing more simple and more self-evident than the basic and invariable principles of the natural and fundamental order of society. In order to understand these principles, not only with respect to their natural origin and their essence but also as far as their practical consequences are concerned, it is necessary to understand the physical order. Once this order is understood the fundamental principle of the natural order of society and its practical consequences are likewise seen. No human power would ever think of making positive laws to the effect that sowing is to take place during the harvesting season and that harvesting is to be undertaken during the season of sowing. . . .

. . . The greatest possible happiness of the community as a whole consists in the greatest possible abundance of useful goods and in the greatest possible liberty to make use of these goods. I have made it clear that this maximum of enjoyment is the necessary consequence of the establishment of the right of property and that it is only by establishing this right that we are able to attain happiness. Now it is evident that, what secures the best possible state of affairs for the community procures also the same advantage for each in-

dividual member of society in view of the fact that each individual is called upon, by the natural order of things, to share in the happiness which all possess in common.

In order to prove this last proposition it will suffice to point out that a great output of commodities can acquire great utility only with the aid of industry, and that it is necessary for society to have an industrial class which, by aiding the agricultural class, acquires the right to share in the abundance of the crops. It is thus clear that the number of goods available to the agricultural class can be increased only by also increasing their quantity for all other persons who by their work tend to provide a greater variety and a greater number of goods to the farmer. Finally it is obvious that the volume of the annual crop is the determinant of population and of everything which determines the political power of society. In other words, the greatest possible increase of farm output is what makes for the best possible political order and gives it a maximum of power and security. . . .

CHAPTER XXXVI

In the preceding chapter I have pointed out that the natural and fundamental order of society calls for the greatest possible freedom of foreign trade in the common interest of both the sovereign and the nation. It is now necessary to demonstrate the truth of this thesis in greater detail. In order to do this it will be sufficient to present simply and clearly the elementary concepts of commerce, and thus to indicate the real significance of the terms which are in daily use without being fully understood. . . .

If I speak here of domestic trade it is because I am convinced that today there exists general agreement about the necessity of leaving domestic trade as free as possible. Consumption is the measure of production, for goods which are not consumed degenerate into glut without utility and value, and there would be no further investment in their production. To recognize this truth is equivalent to realizing at the same time that freedom of domestic trade promotes production by making consumption possible.

However, . . . the development of greater free trade is constantly delayed by prejudices. People are convinced that profits made by foreign merchants within a given country as a result of exports and imports represent an increase of wealth for this nation. This error would be of no consequence if it did not induce governments to put all kinds of restrictions and taxes on consumption and consumers in the belief that these restrictions affect only the middlemen; governments also tend frequently to sacrifice the freedom of domestic trade to the private interests of sellers by granting them special privileges. The effect of these privileges, which reduce competition, is to put into the hands of

a sterile class a part of the wealth which otherwise could be invested for productive purposes. . . .

No matter what form trade may take it always represents an exchange of commodities with commodities. The act of selling or buying is only an act of exchanging even if the transaction involves the use of money, for money is only a commodity. The aim of this exchange is enjoyment or consumption: that is to say, trade may be defined briefly as the exchange of useful commodities in order to distribute them to the final consumers for whose enjoyment they are destined. . . .

The exchange of a commodity for money is called selling, and men attach such interest to this form of trade that they like to be able always to sell for money and not to buy with money. This interest is an incomprehensible mania no matter how one looks at it. Without concerning myself with all aspects of this mania I shall attack its principle by pointing out that the sales which one wants to make for money can take place only if and as long as one buys with money. It is absolutely necessary that the sellers and buyers provide each other through their purchases with money which they in turn have received as a result of their sales. A wage earner sells his services and his talent and pays with his wages for what he consumes. The farmer sells his crop after transferring part of what he receives to the sovereign and the owner of the land, and uses the surplus in order to pay for what he consumes. The sovereign and the landowner also must be regarded as sellers of commodities through the intermediary of the farmer. With the price of these sales they pay for what they consume. The rentier receives an income which is the fruit of the wealth which he has sold either for a limited period or for ever, and with this income he pays for what he consumes. The owner of a house sells the annual yield of the investment involved in the acquisition and the maintenance of the house. The sale of this annual yield provides him annually with the means of payment for what he consumes. Thus, if we consider trade as a multitude of sales and purchases made with money, everybody is a buyer only to the extent to which he is a seller, and since buying is paying, the buyer can do so only to the extent that he sells, because it is only by selling that he is able to obtain the money to pay for what he buys. From the fact that every buyer must be a seller and can buy only insofar as he sells, a further conclusion follows: namely, that every seller must be also a buyer and can sell only insofar as he buys, and that each seller must through his purchases provide others with the money to buy the commodities which he intends to sell them.

Is it not evident then that, if the sales which we make to each other balance in terms of money, I can buy from you only if you buy from me, and that between you and me the sum total of our sales and that of our respective pur-

chases must be equal? How could I possibly pay you if you, after having sold to me commodities worth 100 francs wanted to buy from me only commodities worth 50 francs? And if I were able to pay you once how could I possibly continue to give you more money than I receive? A third person, perhaps, buys from me, but who is going to buy from him? And how can he buy if he does not sell? You may extend the chain of sellers and buyers as long as you wish, it will always be necessary that each purchase is paid by the product of a sale, and that everybody is both buyer and seller in money for equal sums. As soon as money becomes the only means of exchange, everything would be lost if money ceased to circulate. It is absolutely necessary that money be spent.

ADAM SMITH

AScot, like his friend David Hume, Adam Smith (1723-90) was born at Kirkcaldy. Smith's father had been comptroller of the customs for that locality and holder of other minor governmental positions. Although the father died a few months before his only child's birth, the younger Smith nevertheless obtained a good preparatory education. In 1740 he ended three years of study at the University of Glasgow to go to Balliol College at Oxford as an exhibitioner.

Originally intended for the Church of England, Smith found the prospect unattractive. He prepared instead for an academic and literary career. That he chose well is attested by the response which is nowadays evoked by the mention of his name even among many people who have never read a word he wrote. His formal academic career was not a long one, consisting principally in his professorship of moral philosophy at Edinburgh. For the rest, he was both traveler and solitary student. His *Inquiry into the Nature and Causes of the Wealth of Nations* (1776), for example, was written over a ten-year period during which he held no teaching position.

Dr. Francis Hutcheson (1694-1746), a predecessor in the chair of moral philosophy and a teacher of Smith when the latter was a student at Edinburgh, had left a precedent for the inclusion in the course on moral philosophy of a treatment of "civil polity." This, combined with Smith's bent for comprehensiveness in philosophic study and his interest in practical affairs, may account for the fact that under his administration the course included extended lectures on problems we now call specifically economic. Typically, this interest was not an exclusive one. Smith composed while at the University a treatise called *The Theory of Moral Sentiments*. In it he set forth a system of ethics emphasizing the power of "fellow-feeling" to promote harmony in human relations. In his later work on political economy, *The Wealth of Nations*, he abandoned this emphasis, insisting that a more simple self-interest provided the motivation for men's actions, at least with respect to their activities in the market place. Following Hume, he cut the Gordian knot of Mandeville's virtue-vice paradox by saying, in effect, that if men, in following their natural inclination, generally acted in the public interest, then their actions could not be called vicious. The "vices" must be "virtues"! This was the philosophical basis for his eloquent espousal of laissez faire. It embraced a conviction of natural order, of the ubiquity of self-interest, and of the identity of public and private interests.

In the realm of economic analysis proper, Smith followed the mercantilists in choosing as his central object of study the principles upon which increases in national wealth depend. Unlike them, he found the source of increase in production rather than in trade. Production, moreover, gained effectiveness from division of labor. His very famous explanation of the division of labor, unoriginal as it was, is important not so much for its clarity and soundness as for the fact that it served as a foundation for the rest of the work. For division of labor gives rise to exchange, and exchange to a theory of value, or price. It was in his treatment of value that

Smith chiefly broke new ground. In spite of his confusion over its ultimate determinant—he felt that the labor represented in commodities was fundamental, although market demand and supply could play independent parts—he influenced the path of inquiry for generations to come.

Nor can Smith be given credit for a very satisfactory explanation of the manner in which the returns from production are divided among the factors of production, land, labor, and capital. Yet here, again, he broke down the problems into wieldable units for the first time. By positing an automatic mechanism which, in the absence of all but (specifically) limited state interference, would determine appropriate rewards, Smith made a science out of what previously had been a field of uncoordinated speculation.

Smith's debt to the Physiocrats has long been a subject of controversy. That the main lines of his thought were developed before he came into contact with them has been indicated by the discovery of some Edinburgh lecture notes of the years preceding his principal visit to France. Yet it is hardly to be doubted that his emphasis on agriculture owes a great deal to his acquaintance with Physiocratic thought. It also seems likely that the strong conviction of a natural order, ruled by a Divine Providence, which is reaffirmed again and again throughout the *Wealth of Nations* derived something, if only reinforcement, from the "economists" across the Channel.



THE WEALTH OF NATIONS

INTRODUCTION AND PLAN OF THE WORK

THE ANNUAL LABOUR of every nation is the fund which originally supplies it with all the necessities and conveniencies of life which it annually consumes, and which consist always either in the immediate produce of that labour, or in what is purchased with that produce from other nations.

According therefore, as this produce, or what is purchased with it, bears a greater or smaller proportion to the number of those who are to consume it, the nation will be better or worse supplied with all the necessities and conveniencies for which it has occasion.

But this proportion must in every nation be regulated by two different circumstances; first, by the skill, dexterity, and judgment with which its labour is generally applied; and, secondly, by the proportion between the number of those who are employed in useful labour, and that of those who are not so employed. Whatever be the soil, climate, or extent of territory of any particular nation, the abundance or scantiness of its annual supply must, in that particular situation, depend upon those two circumstances.

The abundance or scantiness of this supply too seems to depend more upon

the former of those two circumstances than upon the latter. Among the savage nations of hunters and fishers, every individual who is able to work, is more or less employed in useful labour, and endeavours to provide, as well as he can, the necessities and conveniencies of life, for himself, or such of his family or tribe as are either too old, or too young, or too infirm to go a hunting and fishing. Such nations, however, are so miserably poor, that from mere want, they are frequently reduced, or, at least, think themselves reduced, to the necessity sometimes of directly destroying, and sometimes of abandoning their infants, their old people, and those afflicted with lingering diseases, to perish with hunger, or to be devoured by wild beasts. Among civilized and thriving nations, on the contrary, though a great number of people do not labour at all, many of whom consume the produce of ten times, frequently of a hundred times more labour than the greater part of those who work; yet the produce of the whole labour of the society is so great, that all are often abundantly supplied, and a workman, even of the lowest and poorest order, if he is frugal and industrious, may enjoy a greater share of the necessities and conveniencies of life than it is possible for any savage to acquire. . . .

[*Book I*]

CHAPTER II: OF THE PRINCIPLE WHICH GIVES OCCASION TO THE DIVISION
OF LABOUR

[The] division of labour, from which so many advantages are derived, is not originally the effect of any human wisdom, which foresees and intends that general opulence to which it gives occasion. It is the necessary, though very slow and gradual, consequence of a certain propensity in human nature which has in view no such extensive utility; the propensity to truck, barter, and exchange one thing for another.

Whether this propensity be one of those original principles in human nature, of which no further account can be given; or whether, as seems more probable, it be the necessary consequence of the faculties of reason and speech, it belongs not to our present subject to enquire. It is common to all men, and to be found in no other race of animals, which seem to know neither this nor any other species of contracts. Two greyhounds, in running down the same hare, have sometimes the appearance of acting in some sort of concert. Each turns her towards his companion, or endeavours to intercept her when his companion turns her towards himself. This, however, is not the effect of any contract, but of the accidental concurrence of their passions in the same object at that particular time. Nobody ever saw a dog make a fair and deliberate exchange of one bone for another with another dog. Nobody ever saw one animal by

its gestures and natural cries signify to another, this is mine, that yours; I am willing to give this for that. When an animal wants to obtain something either of a man or of another animal, it has no other means of persuasion but to gain the favour of those whose service it requires. A puppy fawns upon its dam, and a spaniel endeavours by a thousand attractions to engage the attention of its master who is at dinner, when it wants to be fed by him. Man sometimes uses the same arts with his brethren, and when he has no other means of engaging them to act according to his inclinations, endeavours by every servile and fawning attention to obtain their good will. He has not time, however, to do this upon every occasion. In civilized society he stands at all times in need of the co-operation and assistance of great multitudes, while his whole life is scarce sufficient to gain the friendship of a few persons. In almost every other race of animals each individual, when it is grown up to maturity, is entirely independent, and in its natural state has occasion for the assistance of no other living creature. But man has almost constant occasion for the help of his brethren, and it is in vain for him to expect it from their benevolence only. He will be more likely to prevail if he can interest their self-love in his favour, and show them that it is for their own advantage to do for him what he requires of them. Whoever offers to another a bargain of any kind, proposes to do this: Give me that which I want, and you shall have this which you want, is the meaning of every such offer; and it is in this manner that we obtain from one another the far greater part of those good offices which we stand in need of. It is not from the benevolence of the butcher, the brewer, or the baker, that we expect our dinner, but from their regard to their own interest. We address ourselves, not to their humanity, but to their self-love, and never talk to them of our own necessities but of their advantages. Nobody but a beggar chuses to depend chiefly upon the benevolence of his fellow-citizens. Even a beggar does not depend upon it entirely. The charity of well-disposed people, indeed, supplies him with the whole fund of his subsistence. But though this principle ultimately provides him with all the necessaries of life which he has occasion for, it neither does nor can provide him with them as he has occasion for them. The greater part of his occasional wants are supplied in the same manner as those of other people, by treaty, by barter, and by purchase. With the money which one man gives him he purchases food. The old cloaths which another bestows upon him he exchanges for other old cloaths which suit him better, or for lodging, or for food, or for money, with which he can buy either food, cloaths, or lodging, as he has occasion.

As it is by treaty, by barter, and by purchase, that we obtain from one another the greater part of those mutual good offices which we stand in need of, so it is this same trucking disposition which originally gives occasion to the

division of labour. In a tribe of hunters or shepherds a particular person makes bows and arrows, for example, with more readiness and dexterity than any other. He frequently exchanges them for cattle or for venison with his companions; and he finds at last that he can in this manner get more cattle and venison, than if he himself went to the field to catch them. From a regard to his own interest, therefore, the making of bows and arrows grows to be his chief business, and he becomes a sort of armourer. Another excels in making the frames and covers of their little huts or moveable houses. He is accustomed to be of use in this way to his neighbours, who reward him in the same manner with cattle and with venison, till at last he finds it his interest to dedicate himself entirely to this employment, and to become a sort of house-carpenter. In the same manner a third becomes a smith or a brazier; a fourth a tanner or dresser of hides or skins, the principal part of the clothing of savages. And thus the certainty of being able to exchange all that surplus part of the produce of his own labour, which is over and above his own consumption, for such parts of the produce of other men's labour as he may have occasion for, encourages every man to apply himself to a particular occupation, and to cultivate and bring to perfection whatever talent of genius he may possess for that particular species of business.

The difference of natural talents in different men is, in reality, much less than we are aware of; and the very different genius which appears to distinguish men of different professions, when grown up to maturity, is not upon many occasions so much the cause, as the effect of the division of labour. The difference between the most dissimilar characters, between a philosopher and a common street porter, for example, seems to arise not so much from nature, as from habit, custom, and education. When they came into the world, and for the first six or eight years of their existence, they were, perhaps, very much alike, and neither their parents nor playfellows could perceive any remarkable difference. About that age, or soon after, they come to be employed in very different occupations. The difference of talents comes then to be taken notice of, and widens by degrees, till at last the vanity of the philosopher is willing to acknowledge scarce any resemblance. But without the disposition to truck, barter, and exchange, every man must have procured to himself every necessary and conveniency of life which he wanted. All must have had the same duties to perform, and the same work to do, and there could have been no such difference of employment as could alone give occasion to any great difference of talents.

As it is this disposition which forms that difference of talents, so remarkable among men of different professions, so it is this same disposition which renders that difference useful. Many tribes of animals acknowledged to be

all of the same species, derive from nature a much more remarkable distinction of genius, than what, antecedent to custom and education, appears to take place among men. By nature a philosopher is not in genius and disposition half so different from a street porter, as a mastiff is from a greyhound, or a greyhound from a spaniel, or this last from a shepherd's dog. Those different tribes of animals, however, though all of the same species, are of scarce any use to one another. The strength of the mastiff is not in the least supported either by the swiftness of the greyhound, or by the sagacity of the spaniel, or by the docility of the shepherd's dog. The effects of those different geniuses and talents, for want of the power or disposition to barter and exchange, cannot be brought into a common stock, and do not in the least contribute to the better accommodation and conveniency of the species. Each animal is still obliged to support and defend itself, separately and independently, and derives no sort of advantage from that variety of talents with which nature has distinguished its fellows. Among men, on the contrary, the most dissimilar geniuses are of use to one another; the different produces of their respective talents, by the general disposition to truck, barter, and exchange, being brought into a common stock, where every man may purchase whatever part of the produce of other men's talents he has occasion for.

[*Book IV*]

CHAPTER I: THE PRINCIPLE OF THE COMMERCIAL OR MERCANTILE SYSTEM

That wealth consists in money, or in gold and silver, is a popular notion which naturally arises from the double function of money, as the instrument of commerce, and as the measure of value. In consequence of its being the instrument of commerce, when we have money we can more readily obtain whatever else we have occasion for than by means of any other commodity. The great affair, we always find, is to get money. When that is obtained there is no difficulty in making any subsequent purchase. In consequence of its being the measure of value, we estimate that of all other commodities by the quantity of money which they will exchange for. We say of a rich man that he is worth a great deal, and of a poor man that he is worth very little money. A frugal man, or a man eager to be rich, is said to love money; and a careless, a generous, or a profuse man, is said to be indifferent about it. To grow rich is to get money; and wealth and money, in short, are, in common language, considered as in every respect synonymous.

A rich country, in the same manner as a rich man, is supposed to be abounding in money; and to heap up gold and silver in any country is supposed to be the readiest way to enrich it. For some time after the discovery of America,

the first inquiry of the Spaniards, when they arrived upon any unknown coast, used to be, if there was any gold or silver to be found in the neighbourhood? By the information which they received, they judged whether it was worth while to make a settlement there, or if the country was worth the conquering. Plano Carpino, a monk, sent ambassador from the king of France to one of the sons of the famous Gengis Khan, says that the Tartars used frequently to ask him, if there was plenty of sheep and oxen in the kingdom of France? Their inquiry had the same object with that of the Spaniards. They wanted to know if the country was rich enough to be worth the conquering. Among the Tartars, as among all other nations of shepherds, who are generally ignorant of the use of money, cattle are the instruments of commerce and the measures of value. Wealth, therefore, according to them, consisted in cattle, as according to the Spaniards it consisted in gold and silver. Of the two, the Tartar notion, perhaps, was the nearest to the truth.

Mr. Locke marks a distinction between money and other movable goods. All other movable goods, he says, are of so consumable a nature, that the wealth which consists in them cannot be much depended on, and a nation which abounds in them one year may, without any exportation, but merely by their own waste and extravagance, be in great want of them the next. Money, on the contrary, is a steady friend, which, though it may travel about from hand to hand, yet if it can be kept from going out of the country, is not very liable to be wasted and consumed. Gold and silver, therefore, are, according to him, the most solid and substantial part of the movable wealth of a nation, and to multiply those metals ought, he thinks, upon that account, to be the great object of its political economy.

Others admit, that if a nation could be separated from all the world, it would be of no consequence how much or how little money circulated in it. The consumable goods which were circulated by means of this money, would only be exchanged for a greater or a smaller number of pieces: but the real wealth or poverty of the country, they allow, would depend altogether upon the abundance or scarcity of those consumable goods. But it is otherwise, they think, with countries which have connections with foreign nations, and which are obliged to carry on foreign wars, and to maintain fleets and armies in distant countries. This, they say, cannot be done, but by sending abroad money to pay them with; and a nation cannot send much money abroad, unless it has a good deal at home. Every such nation must endeavour in time of peace to accumulate gold and silver, that when occasion requires, it may have wherewithal to carry on foreign wars.

In consequence of these popular notions, all the different nations of Europe have studied, though to little purpose, every possible means of accumulating

gold and silver in their respective countries. Spain and Portugal, the proprietors of the principal mines which supply Europe with those metals, have either prohibited their exportation under the severest penalties, or subjected it to a considerable duty. The like prohibition seems anciently to have made a part of the policy of most other European nations. It is even to be found, where we should least of all expect to find it, in some old Scotch acts of parliament, which forbid, under heavy penalties, the carrying gold or silver *forth of the kingdom*. The like policy anciently took place both in France and England.

When those countries became commercial, the merchants found this prohibition, upon many occasions, extremely inconvenient. They could frequently buy more advantageously with gold and silver than with any other commodity the foreign goods which they wanted, either to import into their own, or to carry to some other foreign country. They remonstrated therefore against this prohibition as hurtful to their trade.

They represented, first, that the exportation of gold and silver in order to purchase foreign goods, did not always diminish the quantity of those metals in the kingdom. That, on the contrary, it might frequently increase that quantity; because, if the consumption of foreign goods was not thereby increased in the country, those goods might be re-exported to foreign countries, and, being there sold for a large profit, might bring back much more treasure than was originally sent out to purchase them. Mr. Mun compares this operation of foreign trade to the seed time and harvest of agriculture. "If we only behold," says he, "the actions of the husbandman in the seed time, when he casteth away much good corn into the ground, we shall account him rather a madman than a husband. But when we consider his labours in the harvest, which is the end of his endeavours, we shall find the worth and plentiful increase of his actions."

They represented, secondly, that this prohibition could not hinder the exportation of gold and silver, which, on account of the smallness of their bulk in proportion to their value, could easily be smuggled abroad. That this exportation could only be prevented by a proper attention to what they called the balance of trade. That when the country exported to a greater value than it imported, a balance became due to it from foreign nations, which was necessarily paid to it in gold and silver, and thereby increased the quantity of those metals imported in the kingdom. But that when it imported to a greater value than it exported, a contrary balance became due to foreign nations, which was necessarily paid to them in the same manner, and thereby diminished that quantity. That in this case, to prohibit the exportation of those metals could not prevent it, but only by making it more dangerous, render it more expensive. That the exchange was thereby turned more against the country which

owed the balance than it otherwise might have been; the merchant who purchased a bill upon the foreign country being obliged to pay the banker who sold it, not only for the natural risk, trouble, and expense of sending the money thither, but for the extraordinary risk arising from the prohibition. But that the more the exchange was against any country, the more the balance of trade became necessarily against it; the money of that country becoming necessarily of so much less value, in comparison with that of the country to which the balance was due. That if the exchange between England and Holland, for example, was five per cent against England, it would require 105 oz. of silver in England to purchase a bill for 100 oz. of silver in Holland: that 105 oz. of silver in England, therefore, would be worth only 100 oz. of silver in Holland, and would purchase only a proportionate quantity of Dutch goods: but that 100 oz. of silver in Holland, on the contrary, would be worth 105 oz. in England, and would purchase a proportionate quantity of English goods: that the English goods which were sold to Holland would be sold so much cheaper; and the Dutch goods which were sold to England so much dearer, by the difference of the exchange; that the one would draw so much less Dutch money to England, and the other so much more English money to Holland as this difference amounted to: and that the balance of trade, therefore, would necessarily be so much more against England, and would require a greater balance of gold and silver to be imported to Holland.

Those arguments were partly solid and partly sophistical. They were solid so far as they asserted that the exportation of gold and silver in trade might frequently be advantageous to the country. They were solid, too, in asserting that no prohibition could prevent their exportation when private people found any advantage in exporting them. But they were sophistical in supposing, that either to preserve or to augment the quantity of those metals required more attention of government, than to preserve or to augment the quantity of any other useful commodities, which the freedom of trade, without any such attention, never fails to supply in the proper quantity. They were sophistical, too, perhaps, in asserting that the high price of exchange necessarily increased, what they called, the unfavourable balance of trade, or occasioned the exportation of a greater quantity of gold and silver. That high price, indeed, was extremely disadvantageous to the merchants who had any money to pay in foreign countries. They paid so much dearer for the bills which their bankers granted them upon those countries. But though the risk arising from the prohibition might occasion some extraordinary expense to the bankers, it would not necessarily carry any more money out of the country. This expense would generally be all laid out in the country, in smuggling the money out of it, and could seldom occasion the exportation of a single sixpence beyond

the precise sum drawn for. The high price of exchange would naturally dispose the merchants to endeavour to make their exports nearly balance their imports, that they might have this high exchange to pay upon as small a sum as possible. The high price of exchange must necessarily have operated as a tax, in raising the price of foreign goods, and diminishing their consumption. It would tend, therefore, not to increase, but to diminish, what they called, the unfavourable balance of trade, and the exportation of gold and silver. . . .

A country that has no mines of its own must undoubtedly draw its gold and silver from foreign countries, in the same manner as one that has no vineyards of its own must draw its wines. It does not seem necessary, however, that the attention of government should be more turned towards the one than towards the other object. A country that has wherewithal to buy wine, will always get the wine which it has occasion for; and a country that has wherewithal to buy gold and silver, will never be in want of those metals. They are to be bought for a certain price like all other commodities, and as they are the price of all other commodities, so all other commodities are the price of those metals. We trust with perfect security that the freedom of trade, without any attention of government, will always supply us with the wine which we have occasion for; and we may trust with equal security that it will always supply us with all the gold and silver which we can afford to purchase or employ in circulating our commodities, or in other uses.

The quantity of every commodity which human industry can either purchase or produce, naturally regulates itself in every country according to effectual demand, or according to the demand of those who are willing to pay the whole rent, labour, and profits which must be paid in order to prepare and bring it to market. But no commodities regulate themselves more easily or more exactly according to this effectual demand than gold and silver; because, on account of the small bulk and great value of those metals, no commodities can be more easily transported from one place to another, from the places where they are cheap, to those where they are dear, from the places where they exceed, to those where they fall short of this effectual demand. If there were in England, for example, an effectual demand for an additional quantity of gold, a packet-boat could bring from Lisbon, or from wherever else it was to be had, 50 tons of gold, which could be coined into more than 5,000,000 of guineas. But if there were an effectual demand for grain to the same value, to import it would require, at five guineas a ton, 1,000,000 of tons of shipping, or 1,000 ships of 1,000 tons each. The navy of England would not be sufficient. . . .

It would be too ridiculous to go about seriously to prove that wealth does not consist in money, or in gold and silver, but in what money purchases, and is

valuable only for purchasing. Money, no doubt, makes always a part of the national capital; but it has already been shown that it generally makes but a small part, and always the most unprofitable part of it. . . .

The importation of gold and silver is not the principal, much less the sole benefit which a nation derives from its foreign trade. Between whatever places foreign trade is carried on, they all of them derive two distinct benefits from it. It carries out that surplus part of the produce of their land and labour for which there is no demand among them, and brings back in return for it something else for which there is a demand. It gives a value to their superfluities, by exchanging them for something else, which may satisfy a part of their wants, and increase their enjoyments. By means of it, the narrowness of the home market does not hinder the division of labour in any particular branch of art or manufacture from being carried to the highest perfection. By opening a more extensive market for whatever part of the produce of their labour may exceed the home consumption, it encourages them to improve its productive powers, and to augment its annual produce to the utmost, and thereby to increase the real revenue and wealth of the society. These great and important services foreign trade is continually occupied in performing, to all the different countries between which it is carried on. They all derive great benefit from it, though that in which the merchant resides generally derives the greatest, as he is generally more employed in supplying the wants, and carrying out the superfluities of his own, than of any other particular country. To import the gold and silver which may be wanted, into the countries which have no mines, is, no doubt, a part of the business of foreign commerce. It is, however, a most insignificant part of it. A country which carried on foreign trade merely upon this account, could scarce have occasion to freight a ship in a century.

It is not by the importation of gold and silver that the discovery of America has enriched Europe. By the abundance of the American mines, those metals have become cheaper. A service of plate can now be purchased for about a third part of the corn, or a third part of the labour, which it would have cost in the fifteenth century. With the same annual expense of labour and commodities, Europe can annually purchase about three times the quantity of plate which it could have purchased at that time. But when a commodity comes to be sold for a third part of what had been its usual price, not only those who purchased it before can purchase three times their former quantity, but it is brought down to the level of a much greater number of purchasers, perhaps to more than ten, perhaps to more than twenty times the former number. So that there may be in Europe at present not only more than three times, but more than twenty or thirty times the quantity of plate which would have been

in it, even in its present state of improvement, had the discovery of the American mines never been made. So far Europe has, no doubt, gained a real convenience, though surely a very trifling one. The cheapness of gold and silver render those metals rather less fit for the purposes of money than they were before. In order to make the same purchases, we must load ourselves with a greater quantity of them, and carry about a shilling in our pocket where a groat would have done before. It is difficult to say which is most trifling, this inconvenience, or the opposite inconvenience. Neither the one nor the other could have made any very essential change in the state of Europe. The discovery of America, however, certainly made a most essential one. By opening a new and inexhaustible market to all the commodities of Europe, it gave occasion to new divisions of labour and improvements of art, which, in the narrow circle of the ancient commerce, could never have taken place for want of a market to take off the greater part of their produce. The productive powers of labour were improved, and its produce increased in all the different countries of Europe, and together with it the real revenue and wealth of the inhabitants. The commodities of Europe were almost all new to America, and many of those of America were new to Europe. A new set of exchanges, therefore, began to take place which had never been thought of before, and which should naturally have proved as advantageous to the new, as it certainly did to the old continent. The savage injustice of the Europeans rendered an event, which ought to have been beneficial to all, ruinous and destructive to several of those unfortunate countries. . . .

I thought it necessary, though at the hazard of being tedious, to examine at full length this popular notion that wealth consists in money, or in gold and silver. Money, in common language, as I have already observed, frequently signifies wealth; and this ambiguity of expression has rendered this popular notion so familiar to us, that even they who are convinced of its absurdity, are very apt to forget their own principles, and in the course of their reasonings to take it for granted as a certain and undeniable truth. Some of the best English writers upon commerce set out with observing, that the wealth of a country consists, not in its gold and silver only, but in its lands, houses, and consumable goods of all different kinds. In the course of their reasonings, however, the lands, houses, and consumable goods seem to slip out of their memory, and the strain of their argument frequently supposes that all wealth consists in gold and silver, and that to multiply those metals is the great object of national industry and commerce.

The two principles being established, however, that wealth consisted in gold and silver, and that those metals could be brought into a country which had no mines only by the balance of trade, or by exporting to a greater value than

it imported, it necessarily became the great object of political economy to diminish as much as possible the importation of foreign goods for home consumption, and to increase as much as possible the exportation of the produce of domestic industry. Its two great engines for enriching the country, therefore, were restraints upon importation and encouragements for exportation.

The restraints upon importation were of two kinds.

I. Restraints upon the importation of such foreign goods for home consumption as could be produced at home, from whatever country they were imported. II. Restraints upon the importation of goods of almost all kinds from those particular countries with which the balance of trade was supposed to be disadvantageous.

Those different restraints consisted sometimes in high duties, and sometimes in absolute prohibitions. Exportation was encouraged sometimes by drawbacks, sometimes by bounties, sometimes by advantageous treaties of commerce with foreign states, and sometimes by the establishment of colonies in distant countries.

Drawbacks were given upon two different occasions. When the home manufacturers were subject to any duty or excise, either the whole or a part of it was frequently drawn back upon their exportation; and when foreign goods liable to a duty were imported in order to be exported again, either the whole or a part of this duty was sometimes given back upon such exportation.

Bounties were given for the encouragement either of some beginning manufacturers, or of such sorts of industry of other kinds as were supposed to deserve particular favour.

By advantageous treatise of commerce, particular privileges were procured in some foreign state for the goods and merchants of the country beyond what were granted to those of other countries.

By the establishment of colonies in distant countries, not only particular privileges, but a monopoly was frequently procured for the goods and merchants of the country which established them.

The two sorts of restraints upon importation, together with these four encouragements to exportation, constitute the six principal means by which the commercial system proposes to increase the quantity of gold and silver in any country by turning the balance of trade in its favour. I shall consider each of them in a particular chapter, and without taking much further notice of their supposed tendency to bring money into the country, I shall examine chiefly what are likely to be the effects of each of them upon the annual produce of its industry. According as they tend either to increase or diminish the value of this annual produce, they must evidently tend either to increase or diminish the real wealth and revenue of the country.

CHAPTER II: OF RESTRAINTS UPON THE IMPORTATION FROM FOREIGN COUNTRIES OF SUCH GOODS AS CAN BE PRODUCED AT HOME

The general industry of the society never can exceed what the capital of the society can employ. As the number of workmen that can be kept in employment by any particular person must bear a certain proportion to his capital, so the number of those that can be continually employed by all the members of a great society, must bear a certain proportion to the whole capital of that society, and never can exceed that proportion. No regulation of commerce can increase the quantity of industry in any society beyond what its capital can maintain. It can only divert a part of it into a direction into which it might not otherwise have gone; and it is by no means certain that this artificial direction is likely to be more advantageous to the society than that into which it would have gone of its own accord.

Every individual is continually exerting himself to find out the most advantageous employment for whatever capital he can command. It is his own advantage, indeed, and not that of the society, which he has in view. But the study of his own advantage naturally, or rather necessarily leads him to prefer that employment which is most advantageous to the society.

First, every individual endeavours to employ his capital as near home as he can, and consequently as much as he can in the support of domestic industry; provided always that he can thereby obtain the ordinary, or not a great deal less than the ordinary profits of stock.

Thus, upon equal or nearly equal profits, every wholesale merchant naturally prefers the home-trade to the foreign trade of consumption, and the foreign trade of consumption to the carrying trade. In the home-trade his capital is never so long out of his sight as it frequently is in the foreign trade of consumption. He can know better the character and situation of the persons whom he trusts, and if he should happen to be deceived, he knows better the laws of the country from which he must seek redress. In the carrying trade, the capital of the merchant is, as it were, divided between two foreign countries, and no part of it is ever necessarily brought home, or placed under his own immediate view and command. The capital which an Amsterdam merchant employs in carrying corn from Konnigsberg to Lisbon, and fruit and wine from Lisbon to Konnigsberg, must generally be the one-half of it at Konnigsberg and the other half at Lisbon. No part of it need ever come to Amsterdam. The natural residence of such a merchant should either be at Konnigsberg or Lisbon, and it can only be some very particular circumstances which can make him prefer the residence of Amsterdam. The uneasiness, however, which he

feels at being separated so far from his capital, generally determines him to bring part both of the Konnigsberg goods which he destines for the market of Lisbon, and of the Lisbon goods which he destines for that of Konnigsberg, to Amsterdam: and though this necessarily subjects him to a double charge of loading and unloading, as well as to the payment of some duties and customs, yet for the sake of having some part of this capital always under his own view and command, he willingly submits to this extraordinary charge; and it is in this manner that every country which has any considerable share of the carrying trade, becomes always the emporium, or general market, for the goods of all the different countries whose trade it carries on. The merchant, in order to save a second loading and unloading, endeavours always to sell in the home-market as much of the goods of all those different countries as he can, and thus, so far as he can, to convert his carrying trade into a foreign trade of consumption. A merchant, in the same manner, who is engaged in the foreign trade of consumption, when he collects goods for foreign markets, will always be glad, upon equal or nearly equal profits, to sell as great a part of them at home as he can. He saves himself the risk and trouble of exportation, when, so far as he can, he thus converts his foreign trade of consumption into a home-trade. Home is in this manner the center, if I may say so, round which the capitals of the inhabitants of every country are continually circulating, and towards which they are always tending, though by particular causes they may sometimes be driven off and repelled from it towards more distant employment. But a capital employed in the home-trade, . . . necessarily puts into motion a greater quantity of domestic industry, and gives revenue and employment to a greater number of the inhabitants of the country, than an equal capital employed in the foreign trade of consumption: and one employed in the foreign trade of consumption has the same advantage over an equal capital employed in the carrying trade. Upon equal, or only nearly equal profits, therefore, every individual naturally inclines to employ his capital in the manner in which it is likely to afford the greatest support to domestic industry, and to give revenue and employment to the greatest number of people of his own country.

Secondly, every individual who employs his capital in the support of domestic industry, necessarily endeavours so to direct that industry, that its produce may be of the greatest possible value.

The produce of industry is what it adds to the subject or materials upon which it is employed. In proportion as the value of this produce is great or small, so will likewise be the profits of the employer. But it is only for the sake of profit that any man employs a capital in the support of industry; and he

will always, therefore, endeavour to employ it in the support of that industry of which the produce is likely to be of the greatest value, or to exchange for the greatest quantity either of money or of other goods.

But the annual revenue of every society is always precisely equal to the exchangeable value of the whole annual produce of its industry, or rather is precisely the same thing with that exchangeable value. As every individual, therefore, endeavours as much as he can both to employ his capital in the support of domestic industry, and so to direct that industry that its produce may be of the greatest value; every individual necessarily labours to render the annual revenue of the society as great as he can. He generally, indeed, neither intends to promote the public interest, nor knows how much he is promoting it. By preferring the support of domestic to that of foreign industry, he intends only his own security; and by directing that industry in such a manner as its produce may be of the greatest value, he intends only his own gain, and he is in this, as in many other cases, led by an invisible hand to promote an end which was no part of his intention. Nor is it always the worse for the society that it was no part of it. By pursuing his own interest he frequently promotes that of the society more effectually than when he really intends to promote it. I have never known much good done by those who affected to trade for the public good. It is an affectation, indeed, not very common among merchants, and very few words need be employed in dissuading them from it.

What is the species of domestic industry which his capital can employ, and of which the produce is likely to be of the greatest value, every individual, it is evident, can, in his local situation, judge much better than any statesman or lawgiver can do for him. The statesman, who should attempt to direct private people in what manner they ought to employ their capitals, would not only load himself with a most unnecessary attention, but assume an authority which could safely be trusted, not only to no single person, but to no council or senate whatever, and which would no-where be so dangerous as in the hands of a man who had folly and presumption enough to fancy himself fit to exercise it.

To give the monopoly of the home-market to the produce of domestic industry, in any particular art of manufacture, is in some measure to direct private people in what manner they ought to employ their capitals, and must, in almost all cases, be either a useless or a hurtful regulation. If the produce of domestic can be brought there as cheap as that of foreign industry, the regulation is evidently useless. If it cannot, it must generally be hurtful. It is the maxim of every prudent master of a family, never to attempt to make at home what it will cost him more to make than to buy. The taylor does not attempt to make

his own shoes, but buys them of the shoemaker. The shoemaker does not attempt to make his own clothes, but employs a taylor. The farmer attempts to make neither the one nor the other, but employs those different artificers. All of them find it for their interest to employ their whole industry in a way in which they have some advantage over their neighbours, and to purchase with a part of its produce, or what is the same thing, with the price of a part of it, whatever else they have occasion for.

What is prudence in the conduct of every private family, can scarce be folly in that of a great kingdom. If a foreign country can supply us with a commodity cheaper than we ourselves can make it, better buy it of them with some part of the produce of our own industry, employed in a way in which we have some advantage. The general industry of the country, being always in proportion to the capital which employs it, will not thereby be diminished, no more than that of the above-mentioned artificers; but only left to find out the way in which it can be employed with the greatest advantage. It is certainly not employed to the greatest advantage, when it is thus directed towards an object which it can buy cheaper than it can make. The value of its annual produce is certainly more or less diminished, when it is thus turned away from producing commodities evidently of more value than the commodity which it is directed to produce. According to the supposition, that commodity could be purchased from foreign countries cheaper than it can be made at home. It could, therefore, have been purchased with a part only of the commodities, or, what is the same thing, with a part only of the price of the commodities, which the industry employed by an equal capital would have produced at home, had it been left to follow its natural course. The industry of the country, therefore, is thus turned away from a more, to a less advantageous employment, and the exchangeable value of its annual produce, instead of being increased, according to the intention of the lawgiver, must necessarily be diminished by every such regulation.

By means of such regulations, indeed, a particular manufacture may sometimes be acquired sooner than it could have been otherwise, and after a certain time may be made at home as cheap or cheaper than in the foreign country. But though the industry of the society may be thus carried with advantage into a particular channel sooner than it could have been otherwise, it will by no means follow that the sum total, either of its industry, or of its revenue, can ever be augmented by any such regulation. The industry of the society can augment only in proportion as its capital augments, and its capital can augment only in proportion to what can be gradually saved out of its revenue. But the immediate effect of every such regulation is to diminish its revenue,

and what diminishes its revenue is certainly not very likely to augment its capital faster than it would have augmented of its own accord, had both capital and industry been left to find out their natural employments. . . .

There seem, however, to be two cases in which it will generally be advantageous to lay some burden upon foreign, for the encouragement of domestic industry.

The first is, when some particular sort of industry is necessary for the defence of the country. The defence of Great Britain, for example, depends very much upon the number of its sailors and shipping. The act of navigation, therefore, very properly endeavours to give the sailors and shipping of Great Britain the monopoly of the trade of their own country, in some cases, by absolute prohibitions, and in others by heavy burdens upon the shipping of foreign countries. . . .

The act of navigation is not favourable to foreign commerce, or to the growth of that opulence which can arise from it. The interest of a nation in its commercial relations to foreign nations is, like that of a merchant with regard to the different people with whom he deals, to buy as cheap and to sell as dear as possible. But it will be most likely to buy cheap, when by the most perfect freedom of trade it encourages all nations to bring to it the goods which it has occasion to purchase; and, for the same reason, it will be most likely to sell dear, when its markets are thus filled with the greatest number of buyers. The act of navigation, it is true, lays no burden upon foreign ships that come to export the produce of British industry. . . . But if foreigners, either by prohibitions or high duties, are hindered from coming to sell, they cannot always afford to come to buy; because coming without a cargo, they must lose the freight from their own country to Great Britain. By diminishing the number of sellers, therefore, we necessarily diminish that of buyers, and are thus likely not only to buy foreign goods dearer, but to sell our own cheaper, than if there was a more perfect freedom of trade. As defence, however, is of much more importance than opulence, the act of navigation is, perhaps, the wisest of all the commercial regulations of England.

The second case, in which it will generally be advantageous to lay some burden upon foreign for the encouragement of domestic industry, is, when some tax is imposed at home upon the produce of the latter. In this case, it seems reasonable that an equal tax should be imposed upon the like produce of the former. This would not give the monopoly of the home market to domestic industry, nor turn towards a particular employment a greater share of the stock and labour of the country, than what would naturally go to it. It would only hinder any part of what would naturally go to it from being turned away by the tax, into a less natural direction, and would leave the com-

petition between foreign and domestic industry, after the tax, as nearly as possible upon the same footing as before it. In Great Britain, when any such tax is laid upon the produce of domestic industry, it is usual at the same time, in order to stop the clamorous complaints of our merchants and manufacturers, that they will be undersold at home, to lay a much heavier duty upon the importation of all foreign goods of the same kind. . . .

As there are two cases in which it will generally be advantageous to lay some burden upon foreign, for the encouragement of domestic industry; so there are two others in which it may sometimes be a matter of deliberation; in the one, how far it is proper to continue the free importation of certain foreign goods; and in the other, how far, or in what manner, it may be proper to restore that free importation after it has been for some time interrupted.

The case in which it may sometimes be a matter of deliberation how far it is proper to continue the free importation of certain foreign goods, is, when some foreign nation restrains by high duties or prohibitions the importation of some of our manufactures into their country. Revenge in this case naturally dictates retaliation, and that we should impose the like duties and prohibitions upon the importation of some or all of their manufacturers into ours. Nations accordingly seldom fail to retaliate in this manner. The French have been particularly forward to favour their own manufactures by restraining the importation of such foreign goods as could come into competition with them. In this consisted a great part of the policy of Mr. Colbert, who, notwithstanding his great abilities, seems in this case to have been imposed upon by the sophistry of merchants and manufacturers, who are always demanding a monopoly against their countrymen. It is at present the opinion of the most intelligent men in France that his operations of this kind have not been beneficial to his country. . . .

There may be good policy in retaliations of this kind, when there is a probability that they will procure the repeal of the high duties or prohibitions complained of. The recovery of a great foreign market will generally more than compensate the transitory inconveniency of paying dearer during a short time for some sorts of goods. To judge whether such retaliations are likely to produce such an effect, does not, perhaps, belong so much to the science of a legislator, whose deliberations ought to be governed by general principles which are always the same, as to the skill of that insidious and crafty animal, vulgarly called a statesman or politician, whose councils are directed by the momentary fluctuations of affairs. When there is no probability that any such repeal can be procured, it seems a bad method of compensating the injury done to certain classes of our people, to do another injury ourselves, not only to those classes, but to almost all the other classes of them. When our neighbours

prohibit some manufacture of ours, we generally prohibit, not only the same, for that alone would seldom affect them considerably, but some other manufacture of theirs. This may no doubt give encouragement to some particular class of workmen among ourselves, and by excluding some of their rivals, may enable them to raise their price in the home-market. Those workmen, however, who suffered by our neighbours prohibition will not be benefited by ours. On the contrary, they and almost all the other classes of our citizens will thereby be obliged to pay dearer than before for certain goods. Every such law, therefore, imposes a real tax upon the whole country, not in favour of that particular class of workmen who were injured by our neighbours prohibition, but of some other class.

The case in which it may sometimes be a matter of deliberation, how far, or in what manner, it is proper to restore the free importation of foreign goods, after it has been for some time interrupted, is when particular manufactures, by means of high duties or prohibitions upon all foreign goods which can come into competition with them, have been so far extended as to employ a great multitude of hands. Humanity may in this case require that the freedom of trade should be restored only by slow gradations, and with a good deal of reserve and circumspection. Were those high duties and prohibitions taken away all at once, cheaper foreign goods of the same kind might be poured so fast into the home market, as to deprive all at once many thousands of our people of their ordinary employment and means of subsistence. The disorder which this would occasion might no doubt be very considerable. . . .

To expect, indeed, that the freedom of trade should ever be entirely restored in Great Britain, is as absurd as to expect that an Oceana or Utopia should ever be established in it. Not only the prejudices of the public, but what is much more unconquerable, the private interests of many individuals, irresistibly oppose it. Were the officers of the army to oppose with the same zeal and unanimity any reduction in the number of forces, with which master manufacturers set themselves against every law that is likely to increase the number of their rivals in the home market; were the former to animate their soldiers, in the same manner as the latter enflame their workmen, to attack with violence and outrage the proposers of any such regulation; to attempt to reduce the army would be as dangerous as it has now become to attempt to diminish in any respect the monopoly which our manufacturers have obtained against us. This monopoly has so much increased the number of some particular tribes of them, that, like an overgrown standing army, they have become formidable to the government, and upon many occasions intimidate the legislature. The member of parliament who supports every

proposal for strengthening this monopoly, is sure to acquire not only the reputation of understanding trade, but great popularity and influence with an order of men whose numbers and wealth render them of great importance. If he opposes them, on the contrary, and still more if he has authority enough to be able to thwart them, neither the most acknowledged probity, nor the highest rank, nor the greatest public services, can protect him from the most infamous abuse and detraction, from personal insults, nor sometimes from real danger, arising from the insolent outrage of furious and disappointed monopolists.

The undertaker of a great manufacture, who, by the home markets being suddenly laid open to the competition of foreigners, should be obliged to abandon his trade, would no doubt suffer very considerably. That part of his capital which had usually been employed in purchasing materials and in paying his workmen, might, without much difficulty, perhaps, find another employment. But that part of it which was fixed in workhouses, and in the instruments of trade, could scarce be disposed of without considerable loss. The equitable regard, therefore, to his interest requires that changes of this kind should never be introduced suddenly, but slowly, gradually, and after a very long warning. The legislature, were it possible that its deliberations could be always directed, not by the clamorous importunity of partial interests, but by an extensive view of the general good, ought upon this very account, perhaps, to be particularly careful neither to establish any new monopolies of this kind, nor to extend further those which are already established. Every such regulation introduces some degree of real disorder into the constitution of the state, which it will be difficult afterwards to cure without occasioning another disorder. . . .

XIII

THE FRENCH REVOLUTION

ARTHUR YOUNG

THE *Travels in France during 1787, 1788, and 1789* (published in 1792-94) by Arthur Young (1741-1820) are today a primary source for the student of the economic condition of France immediately before the Revolution. Young was concerned in all his travels to show that agriculture, rather than commerce and industry, was fundamental. Neither this objective, however, nor his preconception in favor of the British Constitution prevented his being a shrewd observer of the revolutionary situation.

Young's greatest importance was as a pioneer in the practice and propagation of scientific farming, and he was one of the principals in the progress of British agriculture in this respect. His written works advocating such measures as rotation of crops, the abolition of fallows, the use of artificial grasses, together with his reports of his wide travels, won him during his lifetime an international reputation.



TRAVELS IN FRANCE, 1787-90

OCTOBER, 1787

. . . [PARIS.] Dined to-day with a party, whose conversation was entirely political. Mons. de Calonne's *Requête au Roi*¹ is come over, and all the world are reading and disputing on it. It seems, however, generally agreed that, without exonerating himself from the charge of the agiotage, he has thrown no inconsiderable load on the shoulders of the archbishop of Toulouze, the present premier, who will be puzzled to get rid of the attack. But both these ministers were condemned on all hands in the lump; as being absolutely unequal to the difficulties of so arduous a period. One opinion pervaded the whole company, that they are on the eve of some great revolution in the government: that everything points to it: the confusion in the finances great; with a *deficit* impossible to provide for without the states-general of the kingdom, yet no ideas formed of what would be the consequence of their meeting: no minister existing, or to be looked to in or out of power, with such decisive talents as to promise any other remedy than palliative ones: a prince on the throne, with excellent dispositions, but without the resources of a mind that could govern in such a moment without ministers: a court buried in pleasure and dissipation; and adding to the distress, instead of endeavouring to be

¹ [*Petition to the King.*]

placed in a more independent situation: a great ferment amongst all ranks of men, who are eager for some change, without knowing what to look to, or to hope for: and a strong leaven of liberty, increasing every hour since the American revolution; altogether form a combination of circumstances that promise e'er long to ferment into motion, if some master hand, of very superior talents, and inflexible courage, is not found at the helm to guide events, instead of being driven by them. It is very remarkable, that such conversation never occurs, but a bankruptcy is a topic: the curious question on which is, *would a bankruptcy occasion a civil war, and a total overthrow of the government?* The answers that I have received to this question, appear to be just: such a measure, conducted by a man of abilities, vigour and firmness, would certainly not occasion either one or the other. But the same measure, attempted by a man of a different character, might possibly do both. All agree, that the states of the kingdom cannot assemble without more liberty being the consequence; but I meet with so few men that have any just ideas of freedom, that I question much the species of this new liberty that is to arise. They know not how to value the privileges of THE PEOPLE: as to the nobility and the clergy, if a revolution added any thing to their scale, I think it would do more mischief than good.

SEPTEMBER, 1788

The 2d. Rennes is well built, and it has two good squares; that particularly of Louis XV. where is his statue. The parliament being in exile, the house is not to be seen. The Benedictines garden, called the *Tabour*, is worth viewing. But the object at Rennes most remarkable at present is a camp, with a marshal of France (de Stainville), and four regiments of infantry, and two of dragoons, close to the gates. The discontents of the people have been double, first on account of the high price of bread, and secondly for the banishment of the parliament. The former cause is natural enough, but why the people should love their parliament was what I could not understand, since the members, as well as of the states, are all noble, and the distinction between the *noblesse* and *roturiers*² no where stronger, more offensive, or more abominable than in Bretagne. They assure me, however, that the populace have been blown up to violence by every art of deception, and even by money distributed for that purpose. The commotions rose to such a height before the camp was established, that the troops here were utterly unable to keep the peace. Mons. Argenteise, to whom I had brought letters, had the goodness, during the four days I was here, to shew and explain every thing to be seen. I find Rennes very cheap; and it appears the more so to me just come from Normandy, where

² [*The common people.*]

every thing is extravagantly dear. The table d'hôte, at the *grand maison*, is well served; they give two courses, containing plenty of good things, and a very ample regular dessert: the supper one good course, with a large joint of mutton, and another good dessert; each meal, with the common wine, 40s. and for 20 more you have very good wine, instead of the ordinary sort: 30s. for the horse: thus, with good wine, it is no more than 6 liv. 10s. a day, or 5s. 10d. Yet a camp which they complain has raised prices enormously.

The 5th. To Montauban. The poor people seem poor indeed; the children terribly ragged, if possible worse clad than if with no cloaths at all; as to shoes and stockings they are luxuries. A beautiful girl of six or seven years playing with a stick, and smiling under such a bundle of rags as made my heart ache to see her: they did not beg, and when I gave them any thing seemed more surprised than obliged. One third of what I have seen of this province seems uncultivated, and nearly all of it in misery. What have kings, and ministers, and parliaments, and states, to answer for their prejudices, seeing millions of hands that would be industrious, idle and starving, through the execrable maxims of despotism, or the equally detestable prejudices of a feudal nobility. Sleep at the *lion d'or*, at Montauban, an abominable hole.—20 miles.

The 6th. The same inclosed country to Brooms; but near that town improves to the eye, from being more hilly. At the little town of Lamballe, there are above fifty families of noblesse that live in winter, who reside on their estates in the summer. There is probably as much foppery and nonsense in their circles, and for what I know as much happiness, as in those of Paris. Both would be better employed in cultivating their lands, and rendering the poor industrious.—30 miles. . . .

The 24th. . . . Nantes is an *enflammé* in the cause of liberty, as any town in France can be; the conversations I witnessed here, prove how great a change is effected in the minds of the French, nor do I believe it will be possible for the present government to last half a century longer, unless the clearest and most decided talents are at the helm. The American revolution has laid the foundation of another in France, if government does not take care of itself. The 23d one of the twelve prisoners from the Bastille arrived here—he was the most violent of them all—and his imprisonment has been far enough from silencing him.

JUNE, 1789

The 8th. To my friend Lazowski, to know where were the lodgings I had written him to hire me, but my good dutchess d'Estissac would not allow him to execute my commission. I found an apartment in her hotel prepared for me. Paris is at present in such a ferment about the States General, now

holding at Versailles, that conversation is absolutely absorbed by them. Not a word of any thing else talked of. Every thing is considered, and justly so, as important in such a crisis of the fate of four-and-twenty millions of people. It is now a serious contention whether the representatives are to be called the *Commons* or *Tiers Etat*; they call themselves steadily the former, while the court and the great lords reject the term with a species of apprehension, as if it involved a meaning not easily to be fathomed. But this point is of little consequence, compared with another, that has kept the states for sometime in inactivity, the verification of their power separately or in common. The nobility and the clergy demand the former, but the Commons steadily refuse it; the reason why a circumstance, apparently of no great consequence, is thus tenaciously regarded, is that it may decide their sitting for the future in separate houses or in one. Those who are warm for the interest of the people declare that it will be impossible to reform some of the grossest abuses in the state, if the nobility, by sitting in a separate chamber, shall have a negative on the wishes of the people: and that to give such a *veto* to the clergy would be still more preposterous; if therefore, by the verification of their powers in one chamber, they shall once come together, the popular party hope that there will remain, no power afterwards to separate. The nobility and clergy foresee the same result, and will not therefore agree to it. In this dilemma it is curious to remark the *feelings* of the moment. It is not my business to write memories of what passes, but I am intent to catch, as well as I can, the opinions of the day most prevalent. While I remain at Paris, I shall see people of all descriptions, from the coffee-house politicians to the leaders in the states; and the chief object of such rapid notes as I throw on paper, will be to catch the ideas of the moment; to compare them afterwards with the actual events that shall happen, will afford amusement at least. The most prominent feature that appears at present is, that an idea of common interest and common danger does not seem to unite those, who, if not united, may find themselves too weak to oppose the common danger that must arise from the people being sensible of a strength the result of *their* weakness. The king, court, nobility, clergy, army, and parliament, are nearly in the same situation. All these consider, with equal dread, the ideas of liberty, now afloat; except the first, who, for reasons obvious to those who know his character, troubles himself little, even with circumstances that concern his power the most intimately. Among the rest, the feeling of danger is common, and they would unite, were there a head to render it easy, in order to do without the states at all. That the commons themselves look for some such hostile union as more than probable, appears from an idea which gains ground, that they will find it necessary should the other two orders continue [not] to unite with them in one chamber, to declare

themselves boldly the representatives of the kingdom at large, calling on the nobility and clergy to take their places—and to enter upon deliberations of business without them, should they refuse it. All conversation at present is on this topic, but opinions are more divided than I should have expected. There seem to be many who hate the clergy so cordially, that rather than permit them to form a distinct chamber would venture on a new system, dangerous as it might prove.

The 9th. The business going forward at present in the pamphlet shops of Paris is incredible. I went to the Palais Royal to see what new things were published, and to procure a catalogue of all. Every hour produces something new. Thirteen came out to-day, sixteen yesterday, and ninety-two last week. We think sometimes that Debrett's or Stockdale's shops at London are crowded, but they are mere deserts, compared to Desein's, and some others here, in which one can scarcely squeeze from the door to the counter. The price of printing two years ago was from 27 liv. to 30 liv. per sheet, but now it is from 60 liv. to 80 liv. This spirit of reading political tracts, they say, spreads into the provinces, so that all the presses of France are equally employed. Nineteen-twentieths of these productions are in favour of liberty, and commonly violent against the clergy and nobility; I have to-day bespoke many of this description, that have reputation; but enquiring for such as had appeared on the other side of the question, to my astonishment I find there are but two or three that have merit enough to be known. Is it not wonderful, that while the press teems with the most levelling and even seditious principles, that if put in execution would overturn the monarchy, nothing in reply appears, and not the least step is taken by the court to restrain this extreme licentiousness of publication. It is easy to conceive the spirit that must thus be raised among the people. But the coffee-houses in the Palais Royal present yet more singular and astonishing spectacles; they are not only crowded within, but other expectant crowds are at the doors and windows, listening *a gorge déployé*³ to certain orators, who from chairs or tables harangue each his little audience: the eagerness with which they are heard, and the thunder of applause they receive for every sentiment of more than common hardness or violence against the present government, cannot easily be imagined. I am all amazement at the ministry permitting such nests and hotbeds of sedition and revolt, which disseminate amongst the people, every hour, principles that by and by must be opposed with vigour, and therefore it seems little short of madness to allow the propagation at present.

The 10th. Every thing conspires to render the present period in France critical: the want of bread is terrible: accounts arrive every moment from the

³ [*With wholehearted response.*]

provinces of riots and disturbances, and calling in the military, to preserve the peace of the markets. The prices reported are the same as I found at Abbeville and Amiens 5s. (2½.) a pound for white bread, and 3½s. to 4s. for the common sort, eaten by the poor: these rates are beyond their faculties, and occasion great misery. . . .

The 15th. This has been a rich day, and such an one as ten years ago none could believe would ever arrive in France; a very important debate being expected on what, in our house of commons, would be termed the state of the nation. My friend Mons. Lazowski and myself were at Versailles by eight in the morning. We went immediately to the hall of the states to secure good seats in the gallery; we found some deputies already there, and a pretty numerous audience collected. The room is too large; none but stentorian lungs, or the finest clearest voices can be heard; however the very size of the apartment, which admits 2000 people, gave a dignity to the scene. It was indeed an interesting one. The spectacle of the representatives of twenty-five millions of people, just emerging from the evils of 200 years of arbitrary power, and rising to the blessings of a freer constitution, assembled with open doors under the eye of the public, was framed to call into animated feelings every latent spark, every emotion of a liberal bosom. To banish whatever ideas might intrude of their being a people too often hostile to my own country,—and to dwell with pleasure on the glorious idea of happiness to a great nation—of felicity to millions yet unborn. Mons. l'Abbé Syeyes opened the debate. He is one of the most zealous sticklers for the popular cause; carries his ideas not to a regulation of the present government, which he thinks too bad to be regulated at all, but wishes to see it absolutely overturned; being in fact a violent republican: this is the character he commonly bears and in his pamphlets he seems pretty much to justify such an idea. . . .

The 18th. Yesterday the commons decreed themselves, in consequence of the Abbé Syeyes's amended motion, the title of *Assemblée Nationale*; and also, considering themselves then in activity, the illegality of all taxes; but granted them during the session, declaring that they would, without delay, deliberate on the consolidating of the debt; and on the relief of the misery of the people. These steps give great spirits to the violent partizans of a new constitution, but amongst more sober minds, I see evidently an apprehension that it will prove a precipitate measure. It is a violent step, which may be taken hold of by the court, and converted very much to the people's disadvantage. The reasoning of Mons. de Mirabeau against it was forcible and just. . . .

The 23d. The important day is over: in the morning Versailles seemed filled with troops: the streets, about ten o'clock, were lined with the French guards,

and some Swiss regiments, &c.: the hall of the states was surrounded, and centinels fixed in all the passages, and at the doors; and none but deputies admitted. This military preparation was ill-judged, for it seemed admitting the impropriety and unpopularity of the intended measure, and the expectation, perhaps fear of popular commotions. They pronounced, before the king left the chateau, that his plan was adverse to the people, from the military parade with which it was ushered in. The contrary, however, proved to be the fact; the propositions are known to all the world: the plan was a good one; much was granted to the people in great and essential points; and as it was granted before they had provided for these public necessities of finance, which occasioned the states being called together; and consequently left them at full power in future to procure for the people all that opportunity might present, they apparently ought to accept them, provided some security is given for the future meetings of the states, without which all the rest would be insecure; but as a little negotiation may easily secure this, I apprehend the deputies will accept them conditionally: the use of soldiers, and some imprudencies in the manner of forcing the king's system, relative to the interior constitution, and assembling of the deputies, as well as the ill-blood which had had time to brood for three days past in their minds, prevented the commons from receiving the king with any expressions of applause; the clergy, and some of the nobility, cried *vive le Roi!* but treble the number of mouths being silent, took off all effect. It seems they had previously determined to submit to no violence: when the king was gone, and the clergy and nobility retired, the marquis de Brézé waiting a moment to see if they meant to obey the king's express orders, to retire also to another chamber prepared for them, and perceiving that no one moved, addressed them,—*Messieurs, vous connoissez les intentions du Roi.*⁴ A dead silence ensued; and then it was that superior talents bore the sway, that overpowers in critical moments all other considerations. The eyes of the whole assembly were turned on the count de Mirabeau, who instantly replied to the marquis de Brézé—*Oui, Monsieur, nous avons entendu les intentions qu'on a suggérées au Roi, & vous qui ne sauriez être son organe auprès des états généraux, vous qui n'avez ici ni place, ni voix, ni droit de parler, vous n'êtes pas fait pour nous rappeler son discours. Cependant pour éviter toute equivoque, & tout delai, je vous declare que si l'on vous a chargé de nous faire sortir d'ici, vous devez demander des ordres pour employer la force, car nous ne quitterons nos places que par la puissance de la baionnette.*⁵—On which there was a general cry of—*Tel est le vœu de l'As-*

⁴ [Gentlemen, you are aware of the King's intentions.]

⁵ [Yes, sir, we have heard the intentions that have been suggested to the King, and you who are present in the Estates General merely as his instrument; who have here neither place nor vote nor right of speech, you are not the person to remind us of his word. Nevertheless, to re-

semblé.⁶ They then immediately passed a confirmation of their preceding arrêts; and, on the motion of the count de Mirabeau, a declaration that their persons, individually and collectively, were sacred; and that all who made any attempts against them should be deemed infamous traitors to their country.

The 24th. The ferment at Paris is beyond conception; 10,000 people have been all this day in the Palais Royal; a full detail of yesterday's proceedings was brought this morning, and read by many apparent leaders of little parties, with comments, to the people. To my surprise, the king's propositions are received with universal disgust. He said nothing explicit on the periodical meeting of the states; he declared all the old feudal rights to be retained as property. These, and the change in the balance of representation in the provincial assemblies, are the articles that give the greatest offence. But instead of looking to, or hoping for further concessions on these points, in order to make them more consonant to the general wishes; the people seem, with a sort of phrenzy, to reject all idea of compromise, and to insist on the necessity of the orders uniting, that full power may consequently reside in the commons, to effect what they call the regeneration of the kingdom, a favourite term, to which they affix no precise idea, but add the indefinite explanation of the general reform of all abuses. They are also full of suspicions at M. Necker's offering to resign, to which circumstance they seem to look more than to much more essential points. It is plain to me, from many conversations and harangues I have been witness to, that the constant meetings at the Palais Royal, which are carried to a degree of licentiousness and fury of liberty, that is scarcely credible, united with the innumerable inflammatory publications that have been hourly appearing since the assembly of the states, have so heated the people's expectations, and given them the idea of such total changes, that nothing the king or court could do, would now satisfy them; consequently it would be idleness itself to make concessions that are not steadily adhered to, not only to be observed by the king, but to be enforced on the people, and good order at the same time restored. But the stumbling-block to this and every plan that can be devised, as the people know and declare in every corner, is the situation of the finances, which cannot possibly be restored but by liberal grants of the states on one hand, or by a bankruptcy on the other. It is well known, that this point has been warmly debated in the council: Mons. Necker has proved to them, that a bankruptcy is inevitable, if they break with the states before the finances are restored; and the dread and terror of taking such a step, which no minister would at present dare to venture on, has been the

move all possibilities of misunderstanding, and to avoid delay, I tell you that if you have been assigned to remove us from here, you had better ask for orders to use force, because we shall leave our places only under pressure of the bayonet.]

⁶ [Such is the vote of the Assembly.]

great difficulty that opposed itself to the projects of the Queen and the count d'Artois. The measure they have taken is a middle one, from which they hope to gain a party among the people, and render the deputies unpopular enough to get rid of them: an expectation, however, in which they will infallibly be mistaken. If, on the side of the people it is urged, that the vices of the old government make a new system necessary, and that it can only be by the firmest measures that the people can be put in possession of the blessings of a free government; it is to be replied, on the other hand, that the personal character of the king is a just foundation for relying that no measures of actual violence can be seriously feared: that the state of the finances, under any possible regimen, whether of faith or bankruptcy, must secure their existence, at least for time sufficient to secure by negociation, what may be hazarded by violence: that by driving things to extremities, they risque an union between all the other orders of the state, with the parliaments, army, and a great body even of the people, who must disapprove of all extremities; and when to this is added the possibility of involving the kingdom in a civil war, now so familiarly talked of, that it is upon the lips of all the world, we must confess, that the commons, if they steadily refuse what is now held out to them, put immense and certain benefits to the chance of fortune, to that hazard which may make posterity curse, instead of bless, their memories as real patriots, who had nothing in view but the happiness of their country. . . .

The 27th. The whole business now seems over, and the revolution complete. The king has been frightened by the mobs into overturning his own act of the *seance royale*,⁷ by writing to the presidents of the orders of the nobility and clergy, requiring them to join the commons,—full in the teeth of what he had ordained before. It was represented to him, that the want of bread was so great in every part of the kingdom, that there was no extremity to which the people might not be driven: that they were nearly starving, and consequently ready to listen to any suggestions, and on the *qui vive*⁸ for all sorts of mischief: that Paris and Versailles would inevitably be burnt; and in a word, that all sorts of misery and confusion would follow his adherence to the system announced in the *seance royale*. His apprehensions got the better of the party, who had for some days guided him; and he was thus induced to take this step, which is of such importance, that he will never more know where to stop, or what to refuse; or rather he will find, that in the future arrangement of the kingdom, his situation will be very nearly that of Charles I. a spectator, without power, of the effective resolutions of a long parliament. The joy this step occasioned was infinite: the assembly, uniting with the people, all hurried to the chateau. *Vive le Roi* might have been heard at Marly:

⁷ [Royal session.]

⁸ [On the alert.]

the king and queen appeared in the balcony, and were received with the loudest shouts of applause; the leaders, who governed these motions, knew the value of the concession much better than those who made it. I have to-day had conversation with many persons on this business; and, to my amazement, there is an idea, and even among many of the nobility, that this union of the orders is only for the verification of their powers, and for *making the constitution*, which is a new term they have adopted; and which they use as if a constitution was a pudding to be made by a receipt. In vain I have asked, where is the power that can separate them hereafter, if the commons insist on remaining together, which may be supposed, as such an arrangement will leave all the power in their own hands? And in vain I appeal to the evidence of the pamphlets written by the leaders of that assembly, in which they hold the English constitution cheap, because the people have not power enough, owing to that of the crown and the house of lords. The event now appears so clear, as not to be difficult to predict: all real power will be henceforward in the commons, having so much inflamed the people in the exercise of it, they will find themselves unable to use it temperately; the court cannot sit to have their hands behind them; the clergy, nobility, parliaments, and army, will, when they find themselves all in danger of annihilation, unite in their mutual defence; but as such an union will demand time, will find the people armed, and a bloody civil war must be the result. I have more than once declared this as my opinion, but do not find that others unite in it. At all events, however, the tide now runs so strongly in favour of the people, and the conduct of the court seems to be so weak, divided, and blind, that little can happen that will not clearly date from the present moment. Vigour and abilities would have turned every thing on the side of the court; for the great mass of nobility in the kingdom, the higher clergy, the parliaments, and the army, were with the crown; but this desertion of the conduct, that was necessary to secure its power, at a moment so critical, must lead to all sorts of pretensions. At night the fire-works, and illuminations, and mob, and noise, at the Palais Royal increased; the expence must be enormous; and yet nobody knows with certainty from whence it arises: shops there are, however, that for 12s. give as many squibs and serpents as would cost five livres. There is no doubt of it being the duc d'Orleans' money: the people are thus kept in a continual ferment, are for ever assembled, and ready to be in the last degree of commotion whenever called on by the men they have confidence in. Lately a company of Swiss would have crushed all this; a regiment would do it now if led with firmness; but, let it last a fortnight longer, and an army will be wanting. . . . I shall leave Paris, however, truly rejoiced that the representatives of the people have it undoubtedly in their power so to improve the constitution of their

country, as to render all great abuses in future, if not impossible, at least exceedingly difficult, and consequently will establish to all useful purposes an undoubted political liberty; and if they effect this, it cannot be doubted that they will have a thousand opportunities to secure to their fellow-subjects the invaluable blessing of civil liberty also. The state of the finances is such, that the government may easily be kept virtually dependent on the states, and their periodical existence absolutely secured. Such benefits will confer happiness on 25 millions of people; a noble and animating idea, that ought to fill the mind of every citizen of the world, whatever be his country, religion, or pursuit. I will not allow myself to believe for a moment, that the representatives of the people can ever so far forget their duty to the French nation, to humanity, and their own fame, as to suffer any inordinate and impracticable views,—any visionary or theoretic systems,—any frivolous ideas of speculative perfection: much less any ambitious private views, to impede their progress, or turn aside their exertions, from that security which is in their hands, to place on the chance and hazard of public commotion and civil war, the invaluable blessings which are certainly in their power. I will not conceive it possible, that men who have eternal fame within their grasp, will place the rich inheritance on the cast of a die, and, losing the venture, be damned among the worst and most profligate adventurers that ever disgraced humanity.—The duc de Liancourt having made an immense collection of pamphlets, buying every thing that has a relation to the present period; and, among the rest, the cahiers of all the districts and towns of France of the three orders; it was a great object with me to read these, as I was sure of finding in them a representation of the grievances of the three orders, and an explanation of the improvements wished for in the government and administration. These cahiers being instructions given to their deputies, I have now gone through them all, with a pen in hand, to make extracts, and shall therefore leave Paris tomorrow.

JULY, 1789

The 20th. . . . On arriving at the inn, hear the interesting news of the revolt of Paris.—The *Guardes Françaises* joining the people; the little dependence on the rest of the troops; the taking the Bastile; and the institution of the *milice bourgeoise*; ^o in a word, of the absolute overthrow of the old government. Every thing being now decided, and the kingdom absolutely in the hands of the assembly, they have the power to make a new constitution, such as they think proper; and it will be a great spectacle for the world to view, in this enlightened age, the representatives of twenty-five millions of people

^o [*Citizen militia.*]

sitting on the construction of a new and better order and fabric of liberty, than Europe has yet offered. It will now be seen, whether they will copy the constitution of England, freed from its faults, or attempt, from theory, to frame something absolutely speculative: in the former case, they will prove a blessing to their country; in the latter they will probably involve it in inextricable confusions and civil wars, perhaps not in the present period, but certainly at some future one. I hear nothing of their removing from Versailles; if they stay there under the controul of an armed mob, they must make a government that will please the mob; but they will, I suppose, be wise enough to move to some central town Tours, Blois, or Orleans, where their deliberations may be free. But the Parisian spirit of commotion spreads quickly; it is here; the troops that were near breaking my neck, are employed to keep an eye on the people who shew signs of an intended revolt. They have broken the windows of some magistrates that are no favourites; and a great mob of them is at this moment assembled demanding clamourously to have meat at 5s. a pound. They have a cry among them that will conduct them to good lengths,—*Point d'impôt & vivent les états.* . . .¹⁰

The 27th. To Besançon; the country mountain, rock, and wood, above the river; some scenes are fine. I had not arrived an hour before I saw a peasant pass the inn on horseback, followed by an officer of the *guard bourgeois*, of which there are 1200 here, and 200 under arms, and his party-coloured detachment, and these by some infantry and cavalry. I asked, why the militia took the *pas* of the king's troops? *For a very good reason*, they replied, *the troops would be attacked and knocked on the head, but the populace will not resist the milice.* This peasant, who is a rich proprietor, applied for a guard to protect his house, in a village where there is much plundering and burning. The mischiefs which have been perpetrated in the country, towards the mountains and Vesoul, are numerous and shocking. Many chateaus have been burnt, others plundered, the seigneurs hunted down like wild beasts, their wives and daughters ravished, their papers and titles burnt, and all their property destroyed: and these abominations not inflicted on marked persons, who were odious for their former conduct or principles, but an indiscriminating blind rage for the love of plunder. Robbers, galley-slaves, and villains of all denominations, have collected and instigated the peasants to commit all sorts of outrages. Some gentlemen at the table d'hôte informed me, that letters were received from the Maconois, the Lyonois, Auvergne, Dauphiné, &c. and that similar commotions and mischiefs were perpetrating every where; and that it was expected they would pervade the whole kingdom. The backwardness of France is beyond credibility in every thing that pertains to intelligence.

¹⁰ [No taxation and long live the Assembly.]

From Strasbourg hither, I have not been able to see a newspaper. Here I asked for the *Cabinet Littéraire*? None. The gazettes? At the coffee-house. Very easily replied; but not so easily found. Nothing but the *Gazette de France*; for which at this period, a man of common sense would not give one *sol*. To four other coffee-houses; at some no paper at all, not even the *Mercure*; at the *Café Militaire*, the *Courier de l'Europe* a fortnight old; and well dressed people are now talking of the news of two or three weeks past, and plainly by their discourse know nothing of what is passing. The whole town of Besançon has not been able to afford me a sight of the *Journal de Paris*, nor of any paper that gives a detail of the transactions of the states; yet it is the capital of a province, large as half a dozen English counties, and containing 25,000 souls,—with strange to say! the post coming in but three times a week. At this eventful moment, with no licence, nor even the least restraint on the press, not one paper established at Paris for circulation in the provinces, with the necessary steps taken by *affiche*, or *placard*,¹¹ to inform the people in all the towns of its establishment. For what the country knows to the contrary, their deputies are in the Bastille, instead of the Bastille being razed; so the mob plunder, burn, and destroy, in complete ignorance: and yet, with all these shades of darkness, these clouds of tenebrity, this universal mass of ignorance, there are men every day in the states, who are puffing themselves off for the FIRST NATION IN EUROPE! the GREATEST PEOPLE IN THE UNIVERSE! as if the political juntas, or literary circles of a capital constituted a people; instead of the universal illumination of knowledge, acting by rapid intelligence on minds prepared by habitual energy of reasoning to receive, combine, and comprehend it. That this dreadful ignorance of the mass of the people, of the events that most intimately concern them, is owing to the old government, no one can doubt; it is however curious to remark, that if the nobility of other provinces are hunted like those of Franche Compté, of which there is little reason to doubt, that whole order of men undergo a proscription, suffer like sheep, without making the least effort to resist the attack. . . .

JANUARY, 1790

The 6th, 7th, and 8th. The duke of Liancourt having an intention of taking a farm into his own hands, to be conducted on improved principles after the English manner, he desired me to accompany him, and my friend Lazowski, to Liancourt, to give my opinion of the lands, and of the best means towards executing the project, which I very readily complied with. I was here witness to a scene which made me smile: at no great distance from the *chateau* of Liancourt, is a piece of waste land, close to the road, and belonging to the

¹¹ [Posted notice.]

duke. I saw some men very busily at work upon it, hedging it in, in small divisions; levelling, and digging, and bestowing much labour for so poor a spot. I asked the steward if he thought that land worth such an expence? he replied, that the poor people in the town, upon the revolution taking place, declared, that the poor were the nation; that the waste belonged to the nation; and, proceeding from theory to practice, took possession, without any further authority, and began to cultivate; the duke not viewing their industry with any displeasure, would offer no opposition to it. This circumstance shews the universal spirit that is gone forth; and proves, that were it pushed a little farther, it might prove a serious matter for all the property in the kingdom. In this case, however, I cannot but commend it; for if there be one public nuisance greater than another, it is a man preserving the possession of waste land, which he will neither cultivate himself, nor let others cultivate. The miserable people die for want of bread, in sight of wastes that would feed thousands. I think them wise and rational, and philosophical, in seizing such tracts: and I heartily wish there was a law in England for making this action of the French peasants a legal one with us.—72 miles.

CAHIER

THE GROWTH OF new economic conditions, ideas, and social ambitions within the resistant shell of France's old regime piled up discontents and led to a widespread urge for reform. When Louis XVI's government, faced with bankruptcy, finally summoned the long-neglected Estates-General, the people's hopes found expression in the *cahiers de doléances*, addresses to the crown which their deputies carried with them to Versailles. These documents, prepared by the clergy, nobles, and commoners in every section of France, furnish a unique historical record of conditions and opinions on the eve of the Revolution.

The writing of the *cahiers* paralleled the election of the deputies who were to present them to the king. Procedure varied somewhat from place to place, but in general it may be said that France was divided into electoral constituencies, in each of which the clergy, nobles, and third estate met separately to draw up their respective addresses to the crown and to choose their respective deputies to the Estates-General. But whereas most clergymen (first estate) and nobles (second estate) attended personally the meetings of their constituencies, commoners belonging to the third estate were required to use a form of indirect election: in subdivisions of each constituency primary assemblies were held, which drew up "particular" *cahiers* and chose electors; the electors for the constituency as a whole then met together, chose deputies for the Estates-General, and agreed upon incorporation of the demands of the "particular" *cahiers* into a "general" *cahier* corresponding to that of the nobles or clergy. Thus of the more than twenty thousand *cahiers* written in 1789 some six hundred were "general" and the rest "particular."

In such a vast attempt to examine public opinion—amounting to virtual manhood suffrage, since there was only a small property qualification for commoners wishing to take part in preliminary assemblies—some flaws were inevitable. Like the indirect electoral machinery, the process of summarizing the views of preliminary *cahiers* gave middle-class members of the third estate, particularly merchants and lawyers, an influence out of all proportion to their numbers. In many cases the "particular" *cahiers* themselves show signs of a natural tendency to be guided by prominent individuals and by the abundant pamphlet literature of the day. Taken as a whole, however, the *cahiers de doléances* of 1789 are a reliable and indispensable source for the study of the French Revolution. Taken individually, they must be used with care lest unrepresentative opinions be given undue weight. With this consideration in mind, the following *cahier* of the third estate of Dourdan, near Orléans in the Loire valley, has been chosen. The translation from the French is that given in John Hall Stewart, *A Documentary Survey of the French Revolution* (copyright 1951 by the Macmillan Company, New York), reprinted here by permission of the publisher.



*CAHIER OF THE THIRD ESTATE OF
DOURDAN—29 MARCH, 1789*

THE ORDER of the third estate of the City, *Bailliage*,¹ and County of Dourdan, imbued with gratitude prompted by the paternal kindness of the King, who deigns to restore its former rights and its former constitution, forgets at this moment its misfortunes and impotence, to harken only to its foremost sentiment and its foremost duty, that of sacrificing everything to the glory of the *Patrie* and the service of His Majesty. It supplicates him to accept the grievances, complaints, and remonstrances which it is permitted to bring to the foot of the throne, and to see therein only the expression of its zeal and the homage of its obedience.

It wishes:

1. That his subjects of the third estate, equal by such status to all other citizens, present themselves before the common father without other distinction which might degrade them.

2. That all the orders, already united by duty and a common desire to contribute equally to the needs of the State, also deliberate in common concerning its needs.

3. That no citizen lose his liberty except according to law; that, consequently, no one be arrested by virtue of special orders, or, if imperative circumstances necessitate such orders, that the prisoner be handed over to the regular courts of justice within forty-eight hours at the latest.

4. That no letters or writings intercepted in the post be the cause of the detention of any citizen, or be produced in court against him, except in case of conspiracy or undertaking against the State.

5. That the property of all citizens be inviolable, and that no one be required to make sacrifice thereof for the public welfare, except upon assurance of indemnification based upon the statement of freely selected appraisers.

6. That, since the maintenance of the commonwealth necessitates an effective revenue, all taxes established since 1614, the year of the last meeting of the Estates General, be confirmed provisionally by His Majesty on the request of the Estates General, and the collection thereof ordered during a limited period of time, not to exceed one year, despite the fact that, owing to lack of consent of the nation, such taxes may be regarded as illegal.

7. That the customary and ordinary charges of the State be regulated; that the expenditure of every department [of the Government], the appointment

¹ [*Bailiwick*.]

of all who are employed therein, and the retirement pensions of same be established invariably.

8. That the taxes on land and on all real or nominal property, the domains of the Crown, and other branches of revenue deriving from establishments useful to the public, such as postal and messenger service, etc., be preferably assigned to the aforementioned primarily necessary charges.

9. That the national debt be verified; that the payment of arrears of said debt be assured by such indirect taxes as may not be injurious to the husbandry, industry, commerce, liberty, or tranquillity of the citizens.

10. That an annual reimbursement fund be established to liquidate the capital of the debt.

11. That as one part of the debt is liquidated, a corresponding part of the indirect tax also be liquidated.

12. That every tax, direct or indirect, be granted only for a limited time, and that every collection beyond such term be regarded as peculation, and punished as such.

13. That no loan be contracted, under any pretext or any security whatsoever, without the consent of the Estates General.

14. That every anticipation and every issuance of treasurer's notes or others on the account of the State, without public sanction, be regarded as a violation of public faith, and that the administrators ordering or authorizing them be punished.

15. That every personal tax be abolished; that thus the *capitation*² and the *taille*³ and its accessories be merged with the *vingtièmes*⁴ in a tax on land and real or nominal property.

16. That such tax be borne equally, without distinction, by all classes of citizens and by all kinds of property, even feudal and contingent rights.

17. That the tax substituted for the *corvée*⁵ be borne by all classes of citizens equally and without distinction. That said tax, at present beyond the capacity of those who pay it and the needs to which it is destined, be reduced by at least one-half.

18. That provincial Estates, subordinate to the Estates General, be established and charged with the assessment and levying of subsidies, with their deposit in the national treasury, with the administration of all public works, and with the examination of all projects conducive to the prosperity of lands situated within the limits of their jurisdiction.

19. That such Estates be composed of freely elected deputies of the three orders from the cities, boroughs, and parishes subject to their administration,

² [Poll tax.]

³ [Personal tax.]

⁴ [Taxes on income.]

⁵ [A tax in the form of compulsory labor service.]

and in the proportion established for the next session of the Estates General.

20. That district bureaux under said Estates be established in the chief towns of the *bailliages*; and that such jurisdictions be created for said bureaux that there may be prompt and convenient correspondence between the chief town and all points accountable thereto.

21. That in case of the death or retirement of deputies of the order of the third estate in the Estates General, or of any one among them, during the course of the next session, the present electors be authorized to reassemble to elect others in their place.

JUSTICE

1. That the administration of justice be reformed, either by restoring strict execution of ordinances, or by reforming the sections thereof that are contrary to the dispatch and welfare of justice.

2. That every royal *bailliage* have such jurisdiction that persons be not more than three or four leagues distant from their judges, and that these pass judgment in the last resort up to the value of 300 *livres*.

3. That seigneurial courts of justice created by purely gratuitous right be suppressed.

4. That seigneurial courts of justice separated from the jurisdiction of royal *bailliages* . . . be returned thereto.

5. That seigneurial courts of justice, the creation of which has not been gratuitous, or usurpation of which is not proved, be suppressed with reimbursement. . . .

7. That venality of offices be suppressed by successive reimbursement in proportion to their disestablishment; that, accordingly, a fund be constituted forthwith to effect such reimbursement.

8. That the excessive number of offices in the necessary courts be reduced in just measure, and that no one be given an office of magistracy if he is not at least twenty-five years of age, and until after a substantial public examination has verified his morality, integrity, and ability.

9. That all exceptional jurisdictions, . . . salt stores, and financial bureaux be suppressed as useless and productive of law-suits and jurisdictional conflicts; that their competence be returned to the jurisdiction within which they are situated, and the officials composing them either incorporated into such *bailliages* or reimbursed out of their finances.

10. That the study of law be reformed; that it be directed in a manner analogous to our legislation, and that candidates for degrees be subjected to rigorous tests which may not be evaded; that no dispensation of age or time be granted.

11. That a body of general customary law be drafted of all articles common to all the customs of the several provinces and *bailliages*, and that the customs of said several provinces and *bailliages* thereafter contain only articles which are in exception to the general custom.

12. That deliberations of courts and companies of magistracy which tend to prevent entry of the third estate thereto be rescinded and annulled as injurious to the citizens of that order, in contempt of the authority of the King, whose choice they limit, and contrary to the welfare of justice, the administration of which would become the patrimony of those of noble birth instead of being entrusted to merit, enlightenment, and virtue.

13. That military ordinances which restrict entrance to the service to those possessing nobility be reformed.

That naval ordinances establishing a degrading distinction between officers born into the order of nobility and those born into that of the third estate be revoked, as thoroughly injurious to an order of citizens and destructive of the competition so necessary to the glory and prosperity of the State.

FINANCES

1. That if the Estates General considers it necessary to preserve the fees of *aides*,⁶ such fees be made uniform throughout the entire kingdom and reduced to a single denomination; that, accordingly, all ordinances and declarations in force be revoked. . . .

2. That the tax of the *gabelle*⁷ be eliminated if possible, or that it be regulated among the several provinces of the kingdom . . .

3. That the taxes on hides, which have totally destroyed that branch of commerce and caused it to go abroad, be suppressed forever. . . .

7. That the fee for registration of documents be established universally and uniformly, and that, accordingly, all exemptions, subscriptions, and alienations in favor of individual officials or provinces be revoked.

8. That an explicit and exact tariff establish the quota of such fee in an invariable manner; that in said tariff the contract of marriage be treated with the favor it merits; . . . that whatever agreements said act include, it never be subject to more than one fee . . . ; that notes and receipts . . . be taxed as moderately as possible . . . ; finally, that every act not included in the categories established by the tariff be placed in the most analogous category and the one most favorable to the taxpayer; that such classification . . . be determined by the royal judges . . . ; that the draft of said tariff be published one year before its execution, in order that the provincial Estates and all orders of citizens may express their opinions thereon . . .

⁶ [*Excises.*]

⁷ [*Salt monopoly.*]

9. That the fees of *franc-fief*,⁸ established without motives since fiefs are no longer subject to military service, be suppressed entirely, or that, if the needs of the State necessitate their further preservation, the collection thereof be made only every twenty years, whatever change take place during such interval; that said fee not exceed one year's actual revenue, and that it not be burdened with any additional tax. . . .

AGRICULTURE

1. That exchange fees, disastrous to husbandry, . . . be suppressed.

2. That the letters patent of 26 August, 1786, establishing the fees of land commissioners at triple and quadruple their former compensation be revoked; that such fees be reduced to just limits, and that the *terrier*⁹ be renewed only after forty years and by new letters patent.

3. That the privilege of hunting be restricted within its just limits; that the decrees of the *parlement*¹⁰ of the years 1778 and 1779, which tend rather to obstruct the claims of the cultivator than to effect his indemnification, be rescinded and annulled; that after having declared the excessive amount of game and summoned the seigneur to provide therefor, the landowner and the cultivator be authorized to destroy said game on their own lands and in their own woods—without permission, however, to use firearms, the carrying of which is forbidden by ordinances; that, moreover, a simple and easy method be established whereby every cultivator may have the damage verified and obtain compensation therefor.

4. That the right to hunt may never affect the property of the citizen; that, accordingly, he may at all times travel over his lands, have injurious herbs uprooted, and cut [hay] . . . and other produce whenever it suits him; and that stubble may be freely raked immediately after the harvest.

5. That, in conformity with former ordinances, gamekeepers be forbidden to carry arms, even in the retinue of their masters.

6. That hunting offences be punished only by pecuniary fines.

7. That His Majesty be supplicated to have enclosed the parks and forests which are reserved for his enjoyment; also to authorize elsewhere the destruction of wild beasts which ruin the rural districts, and particularly that bordering on this forest of Dourdan.

8. That every individual who, without title or valid occupancy, has dove-cotes or aviaries, be required to destroy them; that those who have title or valid occupancy be required to confine their pigeons at seedtime and harvest.

9. That all leases on tithes, lands, and revenues belonging to ecclesiastics

⁸ [Fees on conveyance of noble land to or among commoners.]

⁹ [*Fee and rent roll.*]

¹⁰ [One of the several high or "sovereign" courts.]

and persons in *mainmorte*¹¹ be made before royal judges . . . ; and that, accordingly, leases thus made remain valid even after the death of the titular incumbents, and that said leases be made for not fewer than nine years.

10. That no cultivator be permitted . . . several farms or farmings, if the total thereof necessitates the use of more than two ploughs.

11. That the rights of *champart*¹² and others of similar nature be converted into payment, either in grain or in money, according to a high and favorable estimate, for landowners designated by the King on the request of the Estates General; and that transportation outside the parish of straw from *champarts* and tithes be forbidden henceforth.

That individuals as well as communities be permitted to free themselves from the rights of *banalité*¹³ and *corvée*, by payments in money or in kind, at a rate likewise established by His Majesty on the basis of the deliberations of the Estates General.

12. That the corporal domains of the crown be rented in grain in perpetuity. . . .

15. That the militia, which devastates the country, takes workers away from husbandry, produces premature and ill-matched marriages, and imposes secret and arbitrary taxes upon those who are subject thereto, be suppressed and replaced by voluntary enlistment at the expense of the provinces.

16. That individuals and communities be permitted to free themselves from the *rentes* which they owe to persons in *mainmorte*, by paying the principal at a rate to be established, upon condition that the persons in *mainmorte* invest such principal in loans authorized guaranteed by the King and the nation.

17. That the ordinance and regulation concerning woods and forests be reformed so as to preserve property rights, encourage plantings, and prevent deforestation.

That the administration of forests and woods belonging to persons in *mainmorte* be subject to the provincial Estates and subordinate to the district bureaux, and that new laws be established to assure the preservation thereof and to punish offences pertaining thereto.

19. That seigneurs who are inspectors of highways may not plant or appropriate trees planted on property bordering the highways; that, on the contrary, such trees be designated as the property of the owners of the estates, who shall be reimbursed for the cost of the planting.

20. That the width of highways and connecting and rural roads be established uniformly and unalterably.

¹¹ [A vestigial form of servile tenure.]

¹² [A fee on peasant tenures consisting of part of the crop.]

¹³ [A fee for use of the seigneur's mill, oven, wine press.]

21. That penalties be imposed upon whosoever cultivate connecting and rural roads.

COMMERCE

1. That every regulation which tends to impede the business of citizens be revoked.

2. That the exportation and circulation of grain be directed by the provincial Estates, which shall correspond among themselves in order to prevent sudden and artificial increases in the price of provisions.

3. That when wheat reaches the price of twenty-five *livres* per *septier* in the markets, all day laborers be forbidden to buy any, unless it be for their sustenance.

4. That if circumstances necessitate the revenue from certificates and letters of mastership in the arts and crafts, no member be admitted into corporations except upon condition of residing in the place of his establishment; that widows may carry on the profession of their husbands without new letters; that their children be admitted thereto at a moderate price; that all persons without an established and recognized domicile be forbidden to peddle.

5. That fraudulent bankruptcy be considered a public crime; that the public prosecutor be enjoined to prosecute it as such, and that privileged positions no longer serve as a refuge for bankrupts.

6. That all toll rights and other similar ones be suppressed throughout the interior of the kingdom, that customhouses be moved back to the frontiers, and that rights of *traite* ¹⁴ be entirely abolished.

7. That, within a given time, weights and measures be rendered uniform throughout the entire kingdom.

MORALS

1. That in the chief town of every *bailliage* a public school be established, where young citizens may be brought up in the principles of religion and provided with the necessary education by methods authorized by His Majesty on the request of the nation.

2. That in cities and villages schools be established where the poor will be admitted without cost, and instructed in whatever is necessary for them concerning either morals or their individual interests.

3. That livings and benefices for the care of souls henceforth be granted only by competitive examination.

4. That prelates and *curés* be subject to perpetual residence, under penalty of loss of the fruits of their benefices.

¹⁴ [Right to collect internal customs duties.]

5. That, under the same penalty, beneficiaries without a charge be bound to residence during most of the year in the chief town of their benefice, if they have an annual income of 1,000 *livres* or more.

6. That no ecclesiastic hold more than one benefice if such benefice is worth 3,000 *livres* revenue or over; that those in excess of such revenue be declared vacant.

7. That every lottery, the effect of which is to corrupt public morals, every loan involving the element of chance, the effect of which is to encourage speculation and divert funds destined for agriculture and commerce, be proscribed forever.

8. That every community be required to provide for the maintenance of its invalid poor; that, accordingly, all private alms be strictly forbidden; that in every district a charity workshop be established, the funds for which shall be composed of voluntary contributions of individuals and sums which the provincial Estates shall designate therefor, in order to assure constant work for the able-bodied poor.

9. That within the limits of every principal administration a house of correction be established for the confinement of beggars and vagabonds.

10. That all charlatans, and those who have not completed the necessary studies and passed the required examinations, be forbidden to sell drugs or medicines or to practise medicine or surgery, and that the granting of any certificate, permission, or exemption for such purpose be forbidden.

11. That no woman may practise the art of midwifery until she has taken a course in it, has obtained a certificate of competence from a college of surgery, and has been received into the *bailliage*.

12. That the *maréchaussées*¹⁵ be enjoined to obey the orders of the officials of the *baillies* for the maintenance of public order; and that the municipalities of the several parishes be authorized to have internal police power therein, except in special cases which are to be reported to the public prosecutor of the *bailliage*.

13. That the sacraments be administered gratuitously, and contingent fees suppressed.

¹⁵ [A corps of policemen.]

JOSEPH EMMANUEL SIEYÈS

THE ABBÉ SIEYÈS (1748–1836) was not by choice a priest but a *philosophe* and reformer. His power during the years from 1789 to 1799 stemmed originally from his activities as a pamphleteer. *What Is the Third Estate?* is one of the most forceful tracts for the time that has been written. Through identifying the unprivileged third estate with the nation, it fused the diverse discontents of revolutionary France into what seemed to be a systematically developed program for righting existing wrongs. One report is that this pamphlet sold 30,000 copies in the three weeks following its publication early in January, 1789, and it succeeded in creating for Sieyès a host of admirers.

Sieyès liked to consider himself an original thinker and only rarely does he mention other writers. Principal among those for whom he does express admiration are Locke and Condillac. Nevertheless, *What Is the Third Estate?* gives forceful indication of the intellectual influence on the Revolution exerted by the *philosophes* of the Enlightenment. In a simple and lucid fashion Sieyès puts to political use the Physiocrat emphasis upon *laissez faire* and the basic value of the land; he uses, and mixes, the philosophies of natural rights and utilitarianism; and although Sieyès denied Rousseau any part in establishing the “principles of the social art,” he agreed with Rousseau’s account of the foundation of society, and the central part of his political philosophy rests on the notion of the general will. Sieyès’s chief addition to the theory of government of *The Social Contract* is a greater emphasis upon representative government.

It was natural that it should have been Sieyès who, with Mirabeau, led the commoners of the third estate in their proclamation of a National Assembly, committed to the formulation of a new constitution for France. As the Revolution gathered force he occupied a moderate position, opposing both the radical Jacobins and the federalism of the Girondists, and advocating policies which he hoped would unify the French state. In pursuit of this nationalist objective he urged universal military training, reorganization of France in order to break down sectionalism, and control of religion and education by the state.

Although his power waned after the triumph of the Jacobins, Sieyès was one of the few early leaders of the Revolution who was almost continuously in public office during the ten years after 1789. His moderate position as a representative of the “Plain,” as well as his capacity to submerge his own personality enabled him to survive the thrusts and counterthrusts within the revolutionary movement, and as a member of the Directory in 1799 he was in a position to conspire with Napoleon Bonaparte and to contribute to the latter’s *coup d’état*. Sieyès was one of the three consuls empowered by Napoleon’s Constitution of the Year VIII, and although the personality of the First Consul thoroughly eclipsed his own, he maintained a position as one of the Empire’s most honored citizens. With the Restoration, Sieyès was forced into exile but returned to Paris after the Revolution of 1830, where he lived for six years in obscurity.



WHAT IS THE THIRD ESTATE?

THE PLAN of this work is quite simple. We have three questions to consider:

- (1) What is the third estate? Everything.
- (2) What has it been in the political order up to the present? Nothing.
- (3) What does it demand? To become something. . . .

THE THIRD ESTATE IS A COMPLETE NATION

What is necessary for the subsistence and prosperity of a nation? *Particular* labors and *public* functions.

Particular labors can be divided into four classes: 1) The soil and water furnish the primary materials for the satisfaction of human needs, and the first class in this order will be that of all the families attached to the work of the field. 2) From the first sale of materials until their consumption or use, a new handiwork, more or less multifarious, adds to these materials a secondary value more or less compound. Human industry succeeds in perfecting the goods of nature and multiplies their value as raw materials twofold, tenfold, a hundredfold. Such are the works of the second class. 3) Between production and consumption, and also between the various stages of production there is a multitude of intermediary agents, useful as much to the producers as to the consumers: these are the merchants. . . . This useful group makes up the third class. 4) In addition to these three classes of productive citizens who are busy with the *objects* of consumption and use, society requires a group of special works and services *directly* useful or pleasing to the *person*. This fourth class embraces everything from the most liberal and distinguished scientific professions to the least esteemed domestic services. Such are the works which maintain society. Who supports them? The third estate.

Public functions may similarly, in the existing state, be arranged under the four recognized denominations, the Sword, the Robe, the Church and the Administration. It would be superfluous to run through them in detail, in order to show how the third estate is nineteen-twentieths of these, with this difference, that it is responsible for all that is truly laborious, all the services that the privileged order refuses to perform. The lucrative and titulary positions are occupied by members of the privileged order. Should we give them credit for that? It would be justifiable if the third estate either refused to fill these positions or if it were not so capable of performing their functions. The truth of the matter is known; yet they have dared to place the third estate

under interdiction. They have said to it: "Whatever your services, whatever your talents, you shall go just so far; you shall not pass beyond. It is not a good thing for you to be honored." . . . If this exclusion is a social crime against the third estate, might one at least be able to say that it serves the public interest? Well, are not the effects of monopoly known? If it discourages those whom it excludes, does it not also render unskilled those whom it favors? Isn't it known that every work removed from free competition will be at once more expensive and less well done?

WHAT HAS THE THIRD ESTATE BEEN UP TO THE PRESENT? NOTHING

We shall not examine the state of servitude in which the people has groaned for so long, no more than the state of constraint and humiliation in which it is still held. Its civil condition has changed; it ought to change more: it is quite impossible that the body of the nation or even that any particular order should become free if the third estate is not free. Privileges do not make one free, but rather the rights that belong to everyone.

If the aristocrats should attempt, even at the cost of this liberty of which they have shown themselves unworthy, to keep the people oppressed, it is fair to ask by what right. If the answer is by the right of conquest, then, it must be agreed, the matter must be pushed a bit farther. The third estate need not fear going back to the past in this way. For it will go back to the year preceding the conquest; and since it is today strong enough not to allow itself to be conquered, its opposition will be more effective. Why should not all these families that maintain the foolish pretention that they are descended from the conquerors and are the inheritors of their rights return to the forests of Franconie?

The nation, thus purged, will be able to console itself, I think, with being reduced to regard itself as made up of only the descendants of the Gauls and the Romans. In truth, if one insists upon making distinctions based on birth, might it not be revealed to our poor compatriots that those that are descended from the Gauls and the Romans are at least worthy as those that come from the Sicambres, the Welches and other savages come out of the woods and swamps of ancient Germany? Yes, it will be said; but the conquest has upset all relationships, and nobility of birth has passed to the side of the conquerors. Well! then it must change sides again, and the third estate will get back its nobility by becoming the conqueror in its turn. . . .

Let us continue. By the third estate must be understood the mass of citizens who belong to the common order. Everyone who is privileged by law, in whatever manner, departs from the common order, is an exception to the common law, and, consequently, does not belong to the third estate. We have said that

a common law and a common representation are what make *one* nation. It is only too true that one is *nothing* in France, when one is only under the protection of the common law; if one does not hold some privilege he must make up his mind to endure scorn, insult and vexations of all kinds. In order to prevent his being completely crushed the only resource of the unfortunate unprivileged person is to attach himself by all sorts of sordid tricks to some dignitary; only at this price does he buy the power, on occasions, to call himself *somebody*.

But it is less in its civil estate than in its relations to the constitution that we have to consider the third estate here. Let us study it with respect to the Estates General.

Who have been its pretended representatives? Either the newly ennobled or the temporarily privileged. These false deputies have not even always been freely chosen in a popular election. Sometimes in the Estates General, and almost always in the provincial estates, the representation of the people is looked upon as the peculiar right of certain positions or offices.

The old nobility cannot stand the new nobles; it only permits them to sit with it when they can claim, as is said, four generations and a hundred years. So it thrusts them back into the third estate to which they obviously no longer belong. However, in the eyes of the law all nobles are equal, those of yesterday and those who succeed greatly or very little in hiding their origin or their usurpation. All have the same privileges. Only opinion distinguishes between them. But if the third estate is compelled to support a prejudice sanctioned by the law there is hardly any reason for its submitting to a prejudice which is against the text of the law.

No matter who is made a noble it is certain that from the moment that a citizen acquires privileges contrary to the common right he is no longer a member of the common order. His new interest is opposed to the general interest; he is incapacitated from voting for the people. . . .

Is separating from the third estate not only the hereditarily privileged, but also those who are enjoying privileges only temporarily, . . . is this an attempt to weaken this order by depriving it of its most enlightened, most courageous and most respected members?

. . . The third estate is always identified in my mind with the idea of a nation. Whatever our motive may be, can we make the truth not the truth? Because an army has had the misfortune of seeing its best troops desert it, does it follow that it must depend upon them to defend it? All privilege, it cannot be repeated too much, is opposed to the common right; therefore all the privileged, without distinction, form a class that is different from and opposed to the third estate. At the same time, this truth ought to contain noth-

ing that will alarm the friends of the people. On the contrary, it serves the national interest, by making forcefully apparent the necessity of immediately suppressing all temporary privileges, which divide the third estate and would appear to condemn this order to placing its destinies in the hands of its enemies. Besides, this observation must not be separated from the one that follows: the abolition of privileges in the third estate is not the loss of exemptions which a few of its members enjoy. These exemptions are nothing but the common right. It has been supremely unjust to deprive the generality of people of them. So I demand not the loss of a right but its restitution; and if it is objected that by making some of these privileges common, like, that of not being drafted for the militia, the means of filling a social need is prevented, I answer that every public need ought to be the responsibility of everybody, and not of a particular class of citizens, and that one must be as much a stranger to all reflection as to all justice not to find a more national means of completing and maintaining such military establishment as one wishes to have. . . .

Let one read history with the intention of examining whether the facts are in conformity with or contrary to this assertion, and he will be assured, I have had the experience, that it is a great error to believe that France is subject to a monarchical regime.

It is enough at this point to have made it apparent that the pretended utility of a privileged order for the public service is only a chimera; that without it, everything that is laborious in this service is discharged by the third estate; that without it the superior places would be infinitely better filled; that they ought to be the natural portion and reward of recognized talents and services; and that if the privileged have succeeded in usurping every lucrative and titular post, it is at once an odious crime against the generality of citizens and a betrayal of the public interest.

Who would dare to say, therefore, that the third estate does not contain in itself all that is necessary to constitute a complete nation? It is like a strong and robust man whose arms are still in chains. If the privileged order were removed the nation would not be something less but something more. So, what is the third estate? Everything, but an "everything" shackled and oppressed. What would it be without the privileged order? Everything, but an "everything" free and flourishing. Nothing can get along without it, everything will get along infinitely better without the others. Nor is the whole case stated when it is shown that the privileged, far from being useful to the nation, can only weaken it and harm it; further, it must be proved that the nobility does not enter into the social order; that it can well be a *burden* on the nation, but that it is not capable of being a part of it.

First, it is impossible to know where to place the nobles among the various elements in the nation. I know that there are many individuals, indeed too many, in whom infirmity, incompetence, incurable laziness, or the force of bad habits, operate to make them strangers to the work of society. Everywhere the exception and the abuse is side by side with the rule, especially in a vast empire. But at least it will be agreed that the fewer these abuses the better the State is regulated. The worst regulated of all will be that State in which not only are there particular persons isolated, but an entire class of citizens finds its glory in remaining inactive in the midst of general activity and is able to consume the best part of the produce without having helped in any way to bring it into existence. Such a class is surely foreign to the nation in its *sloth*.

The noble order is foreign among us not less because of its civil and public prerogatives.

What is a nation? A body of associates living under a *common* law and represented by the same *legislature*.

Is it not all too certain that the noble order has privileges, exemptions, and even rights separated from the rights of the great body of citizens? It departs in this respect from the common order, from the common law. Its civil rights make it already a people apart in the nation at large. It is truly *imperium in imperio*.¹

With regard to its *political* rights, it also exists apart. It has representatives of its own, who are not responsible in any way for acting on behalf of the people. The body of its deputies sits apart; and when it assembles in the same room with the deputies of simple citizens it is no less true that its representation is essentially distinct and separate: it is foreign to the nation in its principle, since its commission does not come from the people, and in its object, since it consists in defending not the general interest, but a particular one.

The third estate therefore includes everything that belongs to the nation; and everything that is not the third estate cannot be regarded as being of the nation. What is the third estate? Everything.

Remove from our annals a few years of Louis XI, of Richelieu, and a few moments of Louis XIV, where one sees only pure despotism, and you would believe that you were reading the history of an *aulic*² aristocracy. It is the court which has reigned and not the monarch. It is the court which makes and un-makes, which calls and recalls the ministers, which creates and distributes positions, etc. And what is the court, if not the head of that immense aristocracy which covers every part of France, which, through its members, attains to everything and exercises everywhere what is essential to every part of the public interest? Thus the people has accustomed itself to separate in its grumblings the monarch from the powers behind the throne. It has always

regarded the king as a man so surely deceived and so without protection in the middle of an active and all-powerful court, that it has never thought to blame him for all the evil that is done in his name.

To sum up: the third estate has not had up to the present true representatives in the Estates General. Therefore its political rights are nought.

WHAT DOES THE THIRD ESTATE DEMAND? TO BECOME SOMETHING

It is not necessary to judge its demands on the basis of the isolated observations of a few authors more or less informed about the rights of man. The third estate is still very backward in this respect, not only with regard to the insights of those who have studied the social order, but also with regard to that mass of common ideas which constitutes public opinion. The true petitions of this estate cannot be appreciated except in terms of the authentic protests which the great municipalities of the kingdom have addressed to the government. What do these show? That the people want to be *something*, and in truth the least possible. It wants to have genuine representatives in the Estates General, that is to say, deputies *drawn from its own ranks*, who are capable of being the interpreters of its desire and the protectors of its interests. But of what use is it to this estate to be present in the Estates General if the interest contrary to its own predominates there! It would only serve to give sanction by its presence to the oppression of which it is the eternal victim. Therefore it is quite certain that it cannot come to vote at the Estates General if it ought not to have there *an influence which is at least equal to that of the privileged classes*, and it demands a number of representatives equal to the number of the two other orders together. Finally, this equality of representation would become completely illusory if every chamber had its separate voice. The third estate demands therefore that the votes be taken *by heads and not by order*. These protests which have created such alarm in the circles of the privileged amount to this, because it is only from this that the reform of abuses would follow. The true intention of the third estate is to have in the Estates General an influence *equal* to that of the privileged. I repeat, can it ask less? And is it not clear that if its influence there is not equal, one cannot hope that it will leave its state of political nullity and become *something*? . . .

THE DECLARATION OF THE RIGHTS OF MAN AND OF THE CITIZEN, BY THE NATIONAL ASSEMBLY OF FRANCE

THE Declaration of the Rights of Man and of the Citizen incorporated both the influence of Rousseau and the American Declaration of Independence, as well as the various bills of rights that had been worked out for individual American colonies. The document was the work of a committee made up of more than twenty leaders of the National Assembly. In addition to its proclamation of individual rights which have since served as watchwords for liberals and radicals of many varieties and economic interests, it expressed the commitment of the then dominant group in the Revolution to the rights of property. The Jacobins alone of the major parties dissented in this respect. Robespierre said: "You have . . . afford[ed] the largest possible latitude to the right to one's property, and yet you have not added a word in limitation of this right, with the result that your *Declaration of the Rights of Man* might make the impression of having been created not for the poor, but for the rich, the speculators, for the stock exchange jobbers." The essentially *bourgeois* nature of the Revolution was foreshadowed in the resemblance of the idea of "liberty" in the Declaration to the laissez-faire conception of the Physiocrats.

The *Declaration* was promulgated in 1789 and attached to the Constitution of 1793. Throughout the nineteenth century it served as a symbol of revolutionary effort against the Old Regime in Europe and as a model for liberal constitutions. Its influence, furthermore, was wielded in circles far outside the propertied classes. The following translation from the French appears in Thomas Paine's *Rights of Man*.



DECLARATION OF THE RIGHTS OF MAN AND OF THE CITIZEN

THE REPRESENTATIVES of the people of France, formed into a National Assembly, considering that ignorance, neglect, or contempt of human rights, are the sole causes of public misfortunes and corruptions of Government, have resolved to set forth in a solemn declaration, these natural, imprescriptible, and inalienable rights: that this declaration being constantly present to the minds of the members of the body social, they may be for ever kept attentive to their rights and their duties; that the acts of the legislative and executive powers of government, being capable of being every moment compared with the end of political institutions, may be more respected; and also, that the

future claims of the citizens, being directed by simple and incontestable principles, may always tend to the maintenance of the Constitution, and the general happiness.

For these reasons, the National Assembly doth recognize and declare, in the presence of the Supreme Being, and with the hope of his blessing and favour, the following *sacred* rights of men and of citizens:

I. Men are born, and always continue, free and equal in respect of their rights. Civil distinctions, therefore, can be founded only on public utility.

II. The end of all political associations, is the preservation of the natural and imprescriptible rights of man; and these rights are liberty, property, security, and resistance of oppression.

III. The nation is essentially the source of all sovereignty; nor can any individual, or any body of men, be entitled to any authority which is not expressly derived from it.

IV. Political liberty consists in the power of doing whatever does not injure another. The exercise of the natural rights of every man, has no other limits than those which are necessary to secure to every *other* man the free exercise of the same rights; and these limits are determinable only by the law.

V. The law ought to prohibit only actions hurtful to society. What is not prohibited by the law, should not be hindered; nor should any one be compelled to that which the law does not require.

VI. The law is an expression of the will of the community. All citizens have a right to concur, either personally, or by their representatives, in its formation. It should be the same to all, whether it protects or punishes; and all being equal in its sight, are equally eligible to all honours, places, and employments, according to their different abilities, without any other distinction than that created by their virtues and talents.

VII. No man should be accused, arrested, or held in confinement, except in cases determined by the law, and according to the forms which it has prescribed. All who promote, solicit, execute, or cause to be executed, arbitrary orders, ought to be punished, and every citizen called upon, or apprehended by virtue of the law, ought immediately to obey, and renders himself culpable by resistance.

VIII. The law ought to impose no other penalties but such as are absolutely and evidently necessary; and no one ought to be punished, but in virtue of a law promulgated before the offence, and legally applied.

IX. Every man being presumed innocent till he has been convicted, whenever his detention becomes indispensable, all rigour to him, more than is necessary to secure his person, ought to be provided against by the law.

X. No man ought to be molested on account of his opinions, not even on

account of his *religious* opinions, provided his avowal of them does not disturb the public order established by the law.

XI. The unrestrained communication of thoughts and opinions being one of the most precious rights of man, every citizen may speak, write, and publish freely, provided he is responsible for the abuse of this liberty, in cases determined by the law.

XII. A public force being necessary to give security to the rights of men and of citizens, that force is instituted for the benefit of the community and not for the particular benefit of the persons to whom it is intrusted.

XIII. A common contribution being necessary for the support of the public force, and for defraying the other expenses of government, it ought to be divided equally among the members of the community, according to their abilities.

XIV. Every citizen has a right, either by himself or his representative, to a free voice in determining the necessity of public contributions, the appropriation of them, and their amount, mode of assessment, and duration.

XV. Every community has had a right to demand of all its agents an account of their conduct.

XVI. Every community in which a separation of powers and a security of rights is not provided for, wants a constitution.

XVII. The right to property being inviolable and sacred, no one ought to be deprived of it, except in cases of evident public necessity, legally ascertained, and on condition of a previous just indemnity.

MAXIMILIEN ROBESPIERRE

THE EPITHET "incorruptible" has traditionally been attached to the name of Maximilien Robespierre (1758-94). It has stood for a number of things. Unsympathetic or conservative historians have represented Robespierre as the very model of that kind of political dogmatist whose unflinching devotion to an ideal makes him peculiarly insensible to the urgencies of the immediate moment. On the other hand, friendlier observers have insisted that Robespierre was a practical politician who was "incorruptible" only in his devotion to the cause of the Parisian populace and that the democratic revolution in France ended, for the time, with his execution.

A fairly successful lawyer in Arras, Robespierre championed democratic egalitarianism and universal suffrage when he was elected deputy to the Estates-General. In 1792 he became a member of the Paris Commune, and thenceforth he was one of the more influential spokesmen of the Jacobins, leading their struggle against the more moderate Girondists.

Robespierre was the moving spirit in the second Committee of Public Safety which was established after the revolution of 1793. He was the leading defender of this government before the National Convention, and he consequently came to be regarded as its head. Indeed, after his execution during the reaction against the "reign of terror" he was often accused of having seized dictatorial power.

Robespierre's ultimate program was the establishment of a republic of small independent producers, and he intended to turn the machinery of the state to the consummation of this project. There was no one during the Revolution who matched his devotion to the philosophy of Rousseau. It was, also, largely through Robespierre's doing that the rationalist cult of the Supreme Being was established as the official state religion. And, thoroughly convinced as he was that the situation required the strong measures he adopted, Robespierre was consistent in identifying the "general will" of the French nation with the activities of the Jacobins.



IN FAVOR OF AN ARMED PEOPLE, OF A WAR AGAINST THE VENDEE

MAY 8, 1793

THE ARMIES of the Vendée, the armies of Brittany and of Coblenz are marching against Paris.

Parisians! The feudal masters are arming themselves because you are the vanguard of humanity. All the great powers of Europe are equipping themselves against you and all the base and depraved persons in France support them.

We now know the entire plan of our enemies, and have means for our

defense in our hands. I am not stating secrets to you, I am merely repeating the speech I delivered this morning in the Convention. I declared this morning in the Convention that the Parisians will march to La Vendée, and that on all the roads and in all the cities on our journey we shall gather friends and brothers, and that we must extinguish in a single blow all of them, all the rebels. All the friends of the Republic must rise in order to annihilate all the aristocrats in La Vendée.

This morning in the Convention I said that the rascals in La Vendée have allies in the very heart of Paris, and I demanded emphatically that the Parisian fighters who have borne the terrible burden of the Revolution for five years, a portion of whom will now take the field—that these republicans must not lose their wives and children during their absence, at the murderous hands of the counter-revolution. And no one to-day dared in the Convention to dispute the necessity of these measures.

Parisians! Let us hasten to meet the bandits of La Vendée!

Do you know why La Vendée is becoming a danger to us? La Vendée is a danger because great precautions have been taken to disarm a section of the population. But we shall create new republican legions and we shall not hand over our wives and children to the daggers of the counter-revolution.

This morning, in the Convention, I demanded the destruction of the rebels from La Vendée, and I also demanded that all aristocrats and moderates should at once be excluded from the Paris sections, and I also demanded that these suspected persons should be jailed.

We do not regard a person as a suspect merely because he was once a nobleman, a farmer general or a trader. Those persons are suspects who have not proved their quality as citizens, and they shall remain in our prisons until such time as the war may be terminated victoriously.

I asked money this morning in the Convention for the *sans-culottes*,¹ for we must deliberate in the sections, and the workingman cannot deliberate and work at home at the same time. But he must receive pay for his task of guarding the city. I have asked millions for the *sans-culottes* of Paris. . . . I have asked that people cease calumniating in the Convention the people of Paris and that the newspaper writers who desire to contaminate public opinion have their mouths stopped for them.

I demanded this morning in the Convention, and I demand it here again—and neither in the Convention nor here do I hear any contrary voices—that an army be held in readiness in Paris, an army not like that of Dumouriez, but an army consisting of *sans-culottes* and workingmen. And this army must investigate Paris, must keep the moderates in check, must occupy all posts and inspire all enemies with terror.

¹ [Supporters of republicanism, so-called because they wore long trousers instead of knee breeches (*culottes*).]

I asked in the Convention that the forges in all public squares be set to work in order to forge weapons, weapons, and again weapons, and I asked that the Council of Ministers should supervise this production of arms.

The tyrants of this earth have made their plans. The defenders of the Republic are to be their sacrifices. Very well—in this most grave of all moments, we shall save freedom by the severest measures, we shall not consent to be murdered one by one.

Citizens! Certain representatives of the people have attempted to play off the Parisians against the Departments, the Departments against Paris, the Convention against the provinces, and the people in the galleries against the masses of the Parisians. They will not succeed. I have informed these gentlemen to this effect, and if the entire people of France could hear me, the entire people of France would be on my side.

Citizens! Do not be dismayed. We are told of immeasurably large foreign armies, of their connections with La Vendée, of their connections with Paris. Very well! What will all their efforts avail them against millions of *sans-culottes*?

We have an immense people of strong *sans-culottes* at our disposal, who cannot be permitted to drop their work. Let the rich pay! We have a Convention; perhaps not all its members are poor and resolute, but the corrupt section will for all that not be able to prevent us from fighting. Do you believe that the Mountain has not enough forces to defeat the adherents of Dumouriez, Orléans and Coburg combined? Parisians, the fate of all France, of all Europe, and all humanity is in your hands. The Mountain needs the People. The people needs the Mountain. And I brand the reports that the provinces are turning their arms against the Jacobins as fabrications on the part of our enemies.

In conclusion, I demand what I demanded in the Convention this morning, namely, that the Parisians shall be the revolutionary nucleus of the army, strong enough to drag the *sans-culottes* with them, that an army should remain in Paris in order to keep our enemies in check, that all enemies who are caught shall be placed under arrest, and that money must be confiscated from the rich in order to enable the poor to continue the struggle.

REPORT ON THE PRINCIPLES OF A REVOLUTIONARY GOVERNMENT

DECEMBER 25, 1793

CITIZENS, members of the Convention! Success induces the weak to sleep, but fills the strong with even more powers of resistance.

Let us leave to Europe and to history the task of lauding the marvels of Toulon, and let us arm for new victories of liberty!

The defenders of the Republic will be guided by Cæsar's maxim, and believe that nothing has been accomplished so long as anything remains to be accomplished.

To judge by the power and the will of our republican soldiers, it will be easy to defeat the English and the traitors. But we have another task of no less importance, but unfortunately of greater difficulty. This task is the task of frustrating, by an uninterrupted excess of energy, the eternal intrigues of all enemies of freedom within the country, and of paving the way for the victory of the principles on which the general weal depends.

These are the big tasks that you have imposed upon your Committee of Public Safety.

Let us first demonstrate the principles and the necessity of a revolutionary government, after which we shall describe those factors that aim to paralyze the birth of such a government.

The theory of the revolutionary government is as new as the Revolution itself, from which this government was born. This theory may not be found in the books of the political writers who were unable to predict the Revolution, nor in the law books of the tyrants. The revolutionary government is the cause of the fear of the aristocracy, or the pretext for its calumnies. For the tyrants this government is a scandal, for most people it is a miracle. It must be explained to all, so that at least all good citizens may be rallied around the principles of the general weal. . . .

The goal of a constitutional government is the protection of the Republic; that of a revolutionary government is the establishment of the Republic.

The Revolution is the war waged by liberty against its foes—but the Constitution is the régime of victorious and peaceful freedom.

The Revolutionary Government will need to put forth extraordinary activity, because it is at war. It is subject to no constant laws, since the circumstances under which it prevails are those of a storm, and change with every moment. This government is obliged unceasingly to disclose new sources of energy to oppose the rapidly changing face of danger.

Under constitutional rule, it is sufficient to protect individuals against the encroachments of the state power. Under a revolutionary régime, the state power itself must protect itself against all that attack it.

The revolutionary government owes a national protection to good citizens; to its foes it owes only death. . . .

Is the revolutionary government, by reason of the greater rapidity of its course and the greater freedom of its movements than are characteristic of an ordinary government, therefore less just and less legitimate? No, it is based on

the most sacred of all laws, on the general weal and on the ironclad law of necessity!

This government has nothing in common with anarchy or with disorder; on the contrary, its goal requires the destruction of anarchy and disorder in order to realize a dominion of law. It has nothing in common with autocracy, for it is not inspired by personal passions.

The measure of its strength is the stubbornness and perfidy of its enemies; the more cruelly it proceeds against its enemies, the closer is its intimacy with the republicans; the greater the severities required from it by circumstances, the more must it recoil from unnecessary violations of private interests, unless the latter are demanded by the public necessity. . . .

If we were permitted a choice between an excess of patriotism and a base deficiency in public spirit, or even a morass of moderation, our choice should soon be made. A healthy body, tormented by an excess of strength, has better prospects than a corpse.

Let us beware of slaying patriotism in the delusion that we are healing and moderating it.

By its very nature, patriotism is energetic and enthusiastic. Who can love his country coldly and moderately? Patriotism is the quality of common men who are not always capable of measuring the consequences of all their acts, and where is the patriot to be found who is so enlightened as never to err? If we admit the existence of moderates and cowards who act in good faith, why should there not also exist patriots in good faith, who sometimes err by excess of zeal? If, therefore, we are to regard all those as criminals who have exceeded the limits of caution in the revolutionary movement, we should be obliged to condemn equally the bad citizens, the enemies of the republic, as well as its enthusiastic friends, and should thus destroy the stoutest props of the Republic. There could be no other outcome than that the emissaries of tyranny would be our public prosecutors.

In indicating the duties of the revolutionary government we have also pointed out the spots in which it is endangered. But the greater its power, the freer and swifter its actions, the more must they be subjected to the test of good faith. The day on which such a government falls into unclean and perfidious hands is the day of the death of the Republic. Its name will become the pretext, the excuse of counter-revolution; its strength will be the strength of venom.

The establishment of the French Revolution was no child's play; it cannot be the work of caprice and carelessness, nor can it be the accidental product of the coalition of all the individual demands and of the revolutionary elements. Wisdom and power created the universe. In assigning to men from your own

midst the terrible task of watching over the destinies of our country, you have placed at their disposal your abilities and your confidence. If the revolutionary government is not supported by the intelligence and the patriotism and by the benevolence of all the representatives of the people, where else should it draw the strength enabling it to face the efforts of a united Europe on an equal plane? The authority of the Constituent Assembly must be respected by all Europe. The tyrants are exhausting the resources of their politics, and sacrificing their treasures, in order to degrade this authority and destroy it. The National Assembly, however, prefers its government to the cabinets of London and all the other courts of Europe. Either we shall rule, or the tyrants will rule us. What are the resources of our enemies in this war of treachery and corruption waged by them against the Republic? All the vices fight for them; the Republic has all the virtues on its side. The virtues are simple, poor, often ignorant, sometimes brutal. They are the heritage of the unhappy, the possession of the people. Vice is surrounded by all the treasures, armed with all the charms of voluptuousness, with all the enticements of perfidy; it is escorted by all the dangerous talents that have placed their services at the disposal of crime.

Great skill is shown by the tyrants in turning against us—not to mention our passions and our weaknesses—even our patriotism! No doubt the germs of disunion which they sow among us would be capable of rapid dissemination if we should not hasten to stifle them.

By virtue of five years of treason, by virtue of feeble precautions, and by virtue of our gullibility, Austria, England, Russia and Italy have had time to set up, as it were, a secret government in France, a government that competes with the French government. They have their secret committees, their treasures, their agents, they absorb men from us and appropriate them to themselves, they have the unity that we lack, they have the policy that we have often neglected, they have the consistency which we have so often failed to show.

Foreign courts have for some time been spewing out on French soil their well-paid criminals. Their agents still infect our armies, as even our victory at Toulon will show. All the bravery of our soldiers, all the devotion of our generals, and all the heroism of the members of this Assembly had to be put forth to defeat treason. These gentlemen still speak in our administrative bodies, in the various sections; they secure admission to the clubs; they sometimes may be found sitting among us; they lead the counter-revolution; they lurk about us, they eavesdrop on our secrets; they flatter our passions and seek even to influence our opinions and to turn our own decisions against us. When you are weak, they praise our caution, When you are cautious, they accuse us

of weakness. Your courage they designate as audacity, your justice as cruelty. If we spare them, they will conspire publicly; if we threaten them, they will conspire secretly or under the mask of patriotism. Yesterday they murdered the defenders of liberty; to-day they mingle in the procession of mourners and weep for their own victims. Blood has flowed all over the country on their account, but we need this blood in the struggle against the tyrants of Europe. The foreigners have set themselves up as the arbitrators of public peace; they have sought to do their work with money; at their behest, the people found bread; when they willed it otherwise, the bread was not available; they succeeded in inaugurating gatherings in front of the bakeshops and in securing the leadership of bands of famished men. We are surrounded by their hired assassins and their spies. We know this, we witness it ourselves, and yet they live! The perfidious emissaries who address us, who flatter us—these are the brothers, the accomplices, the bodyguard of those who destroy our crops, who threaten our cities, massacre our brothers, cut down our prisoners. They are all looking for a leader, even among us. Their chief interest is to incite us to enmity among ourselves. If they succeed in this, this will mean a new lease of life for the aristocracy, the hour of the rebirth of the Federalist plans. They would punish the faction of the Girondistes for the obstacles that have been placed in their way. They would avenge themselves on the Mountain for its splendid spirit of self-sacrifice, for their attacks are aimed at the Convention. We shall continue to make war, war against England, against the Austrians, against all their allies. Our only possible answer to their pamphlets and lies is to destroy them. And we shall know how to hate the enemies of our country.

It is not in the hearts of the poor and the patriots that the fear of terror must dwell, but there in the midst of the camp of the foreign brigands, who would bargain for our skin, who would drink the blood of the French people.

The Committee of Public Safety has recognized that the law does not punish the great criminals with the necessary swiftness. Foreigners, well-known agents of the allied kings, generals besmirched with the blood of Frenchmen, former accomplices of Dumouriez and Custine and Lamarlières have long been in custody and are yet not executed.

The conspirators are very numerous. It is far less necessary to punish a hundred unknown, obscure wretches, than to seize and put to death a single leader of the conspirators.

The members of the Revolutionary Tribunal, whose patriotism and rectitude can for the most part only be praised, have called the attention even of the members of the Committee of Public Safety to the deficiencies in the laws. We propose to you that the Committee of Public Safety be entrusted with the task of introducing a number of innovations in this connection, with the purpose of strengthening and accelerating the hand of justice in its procedure

against intrigues. You have already commissioned the Committee, in a decree, to this effect. We propose that you create the means by which its judgments may be accelerated against foreigners and against generals conspiring with the tyrants.

It is not enough to terrify the enemies of our country; we must also aid its defenders.

We ask that favorable conditions be created for the soldiers who are fighting and dying for liberty.

The French army is not only a terror to the tyrants, it is the glory of humanity and of the nation. In their march to victory, our victorious warriors shout, "Long live the Republic!" They die under the swords of the foe, with the shout, "Long live the Republic!" on their lips; their last words are pæans to liberty, their last gasps are exclamations of homage to their country. If the leaders of the army were as valiant as our soldiers, Europe would have been defeated long ago.

Any measure adopted in favor of the army is an act of national gratitude.

What we have done thus far for the defenders of our country and for their families seems far too little. We should increase the allowances one-third. The immense resources of the Republic permit it; our country demands it. We have also ascertained that the invalids, as well as the widows and children of those who have died for their country, are often injured by the formalities of the law, and by the indifference and ill-favor of subaltern officers. We demand that they be aided by official advocates, who will assist them in attaining their rights. For all these reasons, I ask that the Convention adopt the following measures:

I. The public prosecutor assigned to the revolutionary tribunal shall at once draw up articles of indictment against Dietrich Custine, the son of the general condemned by law, Desbrullis, Biron, Barthélemy, and all the other generals and officers who were connected with Dumouriez, Custine, Lamarlières and Houchard. The public prosecutor shall also indict foreigners, bankers, and all other individuals having any communications with the kings allied against the Republic.

II. The Committee of Public Safety shall report at the earliest possible moment on the appropriate means for securing an improvement in the organization of the Revolutionary Tribunal.

III. Allowances and aids, as paid hitherto to veterans or their dependents, shall be increased one-third.

IV. A commission shall be appointed entrusted with the task of defending the rights of veterans and their dependents.

V. The members of this Commission shall be appointed by the Convention and shall be nominated by the Committee of Public Safety.

CONSPIRACY OF THE EQUALS

IT IS A TRUISM that the French Revolution has meant many things to many men, both at the time of its occurrence and ever since. Yet the full significance of this great social movement must be sought not only in what its forerunners and participants thought and did but also in its relation to subsequent ideas and institutions—for example, to political democracy, nationalism, and socialism in the nineteenth and twentieth centuries. Some understanding of what the Revolution was capable of becoming once its slogans and ideals were reevaluated by later social movements may, however, be achieved by the study of men and aims that played a small part in the Revolution itself but foreshadowed important later tendencies. Such a movement was the “Conspiracy of the Equals” associated with the name of “Gracchus” Babeuf.

François Noel Babeuf (1760-97) was a former keeper of feudal records who had helped draw up his neighborhood *cahier* in 1789 and had filled several minor posts when the Revolution swung leftward into the Reign of Terror. When in 1794 the pendulum moved the other way with Robespierre's downfall and the coming of the Thermidorean reaction, Babeuf began to publish his conviction that the Revolution, short of socialism, was incomplete. His newspaper (*Journal de la liberté de la presse*, later *Le Tribun du peuple*) was suppressed, and Babeuf was sent to prison, but upon his release he became, in 1795, the central figure in a movement aiming at economic and political equality. With its ranks swollen by radical Jacobins and sufferers from the inflation and with Babeuf's revived *Tribun du peuple* serving as its mouthpiece, this so-called Pantheon Society was successful enough in the winter of 1795-96 to arouse the fears of the Directory. Police spies worked their way into the organization, and late in February, 1796, it was dissolved, the order being carried out by young General Bonaparte. Babeuf and the other leaders of the movement then made elaborate plans for an insurrection which was to overthrow the Directory, socialize property, and give France “liberty, equality, and the Constitution of 1793.” The expectation of winning over to their cause large sections of the populace and army was never put to the test, for the government, at all times aware of their plans, arrested the leaders before they were ready to strike the first blow (May, 1796). After a lengthy trial Babeuf and a colleague were executed. Others of the conspirators were deported.

Even if it be granted that the Conspiracy of the Equals might with better luck have overthrown the Directory, there can be no doubt that France was far from ready for their socialist interpretation of the ideals of 1789. A minority foredoomed to failure, they nevertheless serve to highlight—especially for the student of today—important “bourgeois” characteristics of the French Revolution. The following manifesto, written by Babeuf's friend Sylvain Maréchal and distributed after the dissolution of the Pantheon Society, is a trustworthy, brief expression of their social criticism. It is taken, in translation from the French, from Ernest Belfort Box's *The Last Episode of the French Revolution* (London, Grant Richards, 1911).



MANIFESTO OF THE EQUALS

PEOPLE OF FRANCE! During fifteen centuries you have lived as slaves, and in consequence unhappily. It is scarcely six years that you have begun to breathe, in the expectation of independence, happiness, equality! The first demand of nature, the first need of man, and the chief knot binding together all legitimate association! People of France! you have not been more favoured than other nations who vegetate on this unfortunate growth! Always and everywhere the poor human race, delivered over to more or less adroit cannibals, has served as a plaything for all ambitions, as a pasture for all tyrannies. Always and everywhere men have been lulled by fine words; never and nowhere have they obtained the thing with the word. From time immemorial it has been repeated, with hypocrisy, that *men are equal*; and from time immemorial the most degrading and the most monstrous inequality ceaselessly weighs on the human race. Since the dawn of civil society this noblest appanage of man has been recognised without contradiction, but has on no single occasion been realised; equality has never been anything but a beautiful and sterile fiction of the law. To-day, when it is demanded with a stronger voice, they reply to us: "Be silent, wretches! Equality of fact is nought but a chimera; be contented with conditional equality; you are all equal before the law. Canaille, what do you want more?" What do we want more? Legislators, governors, rich proprietors, listen, in your turn! We are all equal, are we not? This principle remains uncontested. For, unless attacked by madness, no one could seriously say that it was night when it was day.

Well! we demand henceforth to live and to die equal, as we have been born equal. We demand real equality or death; that is what we want.

And we shall have it, this real equality, it matters not at what price! Woe betide those who place themselves between us and it! Woe betide him who offers resistance to a vow thus pronounced!

The French Revolution is but the precursor of another, and a greater and more solemn revolution, and which will be the last!

The People has marched over the bodies of kings and priests who coalesced against it: it will be the same with the new tyrants, with the new political hypocrites, seated in the place of the old ones! What do we want more than equality of rights? We want not only the equality transcribed in the declaration of the Rights of Man and the citizens; we will have it in the midst of us, under the roof of our houses. We consent to everything for its sake; to make a clear

board, that we may hold to it alone. Perish, if it must be, all the arts, provided real equality be left us! ¹ Legislators and governors, who have neither genius nor good faith; rich proprietors without bowels of compassion, you will try in vain to neutralise our holy enterprise by saying that it does no more than reproduce that agrarian law already demanded more than once before! Calumniators! be silent in your turn, and, in the silence of confusion, listen to our demands, dictated by nature and based upon justice!

The agrarian law, or the partition of lands, was the immediate aim of certain soldiers without principles, of certain peoples moved by their instinct rather than by reason. We aim at something more sublime and more equitable—the common good, or the community of goods. No more individual property in land; the land belongs to no one. We demand, we would have, the communal enjoyment of the fruits of the earth, fruits which are for everyone!

We declare that we can no longer suffer, with the enormous majority of men, labour and sweat in the service and for the good pleasure of a small minority! Enough and too long have less than a million of individuals disposed of that which belongs to more than twenty millions of their kind!

Let this great scandal, that our grandchildren will hardly be willing to believe in, cease!

Let disappear, once for all, the revolting distinction of rich and poor, of great and small, of masters and valets, of governors and governed! ²

Let there be no other difference between human beings than those of age and sex. Since all have the same needs and the same faculties, let there be one education for all, one food for all. We are contented with one sun and one air for all. Why should the same portion and the same quality of nourishment not suffice for each of us? But already the enemies of an order of things the most natural that can be imagined, declaim against us. Disorganisers and factious persons, say they, you only seek massacre and plunder. People of France! we shall not waste our time in replying to them, but we shall tell you: the holy enterprise which we organise has no other aim than to put an end to civil dissensions and to the public misery.

Never has a vaster design been conceived or put into execution. From time to time some men of genius, some sages, have spoken of it in a low and trembling voice. Not one of them has had the courage to tell the whole truth.

The moment for great measures has come. The evil is at its height. It covers the face of the earth. Chaos, under the name of politics, reigns there throughout too many centuries. Let everything return once more to order, and re-assume its just place!

¹ [This was one of the sentences objected to by other members of the committee.]

² [The idea of the abolition of governors and governed was also, as we are informed by Buonarroti, objected to by some of his colleagues.]

At the voice of equality, let the elements of justice and well-being organise themselves. The moment has arrived for founding the Republic of the Equals, that grand refuge open for all men. The days of general restitution have come. Families groaning in misery, come and seat yourselves at the common table prepared by nature for all her children! People of France! the purest form of all glory has been reserved for thee! Yes, it is you who may first offer to the world this touching spectacle!

Ancient customs, antiquated conventions, would anew raise an obstacle to the establishment of the Republic of the Equals. The organisation of real equality, the only kind that answers all needs without making victims, without costing sacrifices, will not perhaps please everybody at first. The egoist, the ambitious man, will tremble with rage. Those who possess unjustly will cry aloud against its injustice. Exclusive enjoyments, solitary pleasures, personal ease, will cause sharp regrets on the part of individuals who have fattened on the labour of others. The lovers of absolute power, the vile supporters of arbitrary authority, will scarcely bend their arrogant chiefs to the level of real equality. Their narrow view will penetrate with difficulty, it may be, the near future of common well-being. But what can a few thousand malcontents do against a mass of men, all of them happy, and surprised to have sought so long for a happiness which they had beneath their hand?

The day after this veritable revolution they will say, with astonishment, What? the common well-being was to be had for so little? We had only to will it. Ah! why did we not will it sooner? Why had we to be told about it so many times? Yes, doubtless, with one man on earth richer, more powerful than his neighbours, than his equals, the equilibrium is broken, crime and misery are already in the world. People of France! by what sign ought you henceforward to recognise the excellence of a constitution? That which rests entirely on an equality of fact is the only one that can benefit you and satisfy all your wants.

The aristocratic charters of 1791 to 1795 have only riveted your bonds instead of rending them. That of 1793 was a great step indeed towards real equality, and never before had it been approached so closely; but yet, it did not achieve the aim and did not touch the common well-being, of which, nevertheless, it solemnly consecrated the great principle.

People of France! open your eyes and your heart to the fullness of happiness. Recognise and proclaim with us the "Republic of the Equals"!

NAPOLEON BONAPARTE

NAPOLEON returned from his Egyptian campaign to find France endangered by the success of the Second Coalition against it and the rule of the Directory thoroughly discredited. The popular hero of France, Napoleon effected a *coup d'état* on the 9-10 of November, 1799 (18-19 Brumaire), by surrounding the Assemblies with his own troops. He thenceforth ruled France as First Consul, till 1804, and as Emperor, from 1804 to 1814. The first of the following documents is Napoleon's account of what took place during the coup of 1799. It is taken from his *Correspondance*, Vol. VI.

In the Berlin Decree of 1806 and in the Milan Decree of 1807, Napoleon attempted to define and enforce the "continental system," through which he made war upon Great Britain. The Milan Decree (with excisions) is the second of the following documents, both of which have been translated from the French.



PROCLAMATION

19th Brumaire, 11 o'clock P.M.

TO THE PEOPLE: Frenchmen, on my return to France I found division reigning among all the authorities. They agreed only on this single point, that the constitution was half destroyed and was unable to protect liberty.

Each party in turn came to me, confided to me their designs, imparted their secrets, and requested my support. But I refused to be the man of any party.

The Council of Elders appealed to me. I answered their appeal. A plan of general restoration had been conspired at by men whom the nation has been accustomed to regard as the defenders of liberty, equality, and property. This plan required calm deliberation, free from all influence and all fear. The Elders therefore resolved upon the removal of the legislative bodies to St. Cloud. They placed at my disposal the force necessary to secure their independence. I was bound, in duty to my fellow-citizens, to the soldiers perishing in our armies, and to the national glory acquired at the cost of so much blood, to accept the command.

The Council assembled at St. Cloud. Republican troops guaranteed their safety from without, but assassins created terror within. Many deputies in the Council of Five Hundred, armed with stiletos and pistols, spread the menace of death around them.

The plans which ought to have been developed were withheld. The majority of the Council was disorganized, the boldest orators were disconcerted, and the futility of submitting any salutary proposition was quite evident.

I proceeded, filled with indignation and chagrin, to the Council of the Elders. I besought them to carry their noble designs into execution. I directed their attention to the evils of the nation, which were their motives for conceiving those designs. They concurred in giving me new proofs of their unanimous good will.

I presented myself before the Council of the Five Hundred alone, unarmed, my head uncovered, just as the Elders had received and applauded me. My object was to restore to the majority the expression of its will and to secure to it its power.

The stiletos which had menaced the deputies were instantly raised against their deliverer. Twenty assassins rushed upon me and aimed at my breast. The grenadiers of the legislative body, whom I had left at the door of the hall, ran forward and placed themselves between me and the assassins. One of these brave grenadiers had his clothes pierced by a stiletto. They bore me out.

At the same moment cries of "Outlaw him!" were raised against the defender of the law. It was the horrid cry of assassins against the power destined to repress them. They crowded around the president, uttering threats. With arms in their hands, they commanded him to declare me outlawed. I was informed of this. I ordered him to be rescued from their fury, and six grenadiers of the legislative body brought him out. Immediately afterwards some grenadiers of the legislative body charged the hall and cleared it.

The seditious, thus intimidated, dispersed and fled. The majority, freed from their assailants, returned freely and peaceably into the hall, listened to the propositions for the public safety, deliberated, and drew up the salutary resolution which will become the new and provisional law of the republic.

Frenchmen, you will doubtless recognize in this conduct the zeal of a soldier of liberty, of a citizen devoted to the republic. Conservative, judicial, and liberal ideas resumed their sway upon the dispersion of those seditious persons who had domineered in the councils and who proved themselves the most odious and contemptible of men.

THE MILAN DECREE

NAPOLÉON, emperor of the French, king of Italy, protector of the Confederation of the Rhine. In view of the measures adopted by the British government on the 11th of November last, by which vessels belonging to powers which

are neutral, or are friendly to, and even allied with, England, are rendered liable to be searched by British cruisers, detained at certain stations in England, and subject to an arbitrary tax of a certain per cent upon their cargo, to be regulated by English legislation:

Considering that by these acts the English government has denationalized the vessels of all the nations of Europe, and that no government may compromise in any degree its independence or its right by submitting to such demands,—all the rulers of Europe being jointly responsible for the sovereignty and independence of their flags,—and that, if through unpardonable weakness, which would be regarded by posterity as an indelible stain, such tyranny should be admitted and become consecrated by custom, the English would take steps to give it the force of law, as they have already taken advantage of the toleration of the governments to establish the infamous principle that the flag does not cover the goods, and to give the right of blockade an arbitrary extension which threatens the sovereignty of every state:

We have decreed and do decree as follows:

ARTICLE I. Every vessel, of whatever nationality, which shall submit to be searched by an English vessel, or shall consent to a voyage to England, or shall pay any tax whatever to the English government, is *ipso facto* declared denationalized, loses the protection afforded by its flag, and becomes English property.

II. Should these vessels which are thus denationalized through the arbitrary measures of the English government enter our ports or those of our allies, or fall into the hands of our ships of war or of our privateers, they shall be regarded as good and lawful prizes.

III. The British Isles are proclaimed to be in a state of blockade both by land and by sea. Every vessel, of whatever nation or whatever may be its cargo, that sails from the ports of England, or from those of the English colonies, or of countries occupied by English troops, or is destined for England, or for any of the English colonies, or any country occupied by English troops, becomes, by violating the present decree, a lawful prize, and may be captured by our ships of war and adjudged to the captor. . . .